

May 7, 2008



TRANSCRIPT
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MONTGOMERY COUNTY COUNCIL

PRESENT

Councilmember Michael Knapp, President
Councilmember Roger Berliner
Councilmember Valerie Ervin
Councilmember George Leventhal

Councilmember Phil Andrews, Vice President
Councilmember Marc Elrich
Councilmember Nancy Floreen
Councilmember Duchy Trachtenberg



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President Knapp,

Good morning, everyone. We are now day-three of the full-Council work session on the budget. This morning we have Public Safety issues. We are beginning with Fire and Rescue Services. I will turn to our Council Vice President and Chair of the Public Safety Committee, Councilmember Andrews.

Vice President Andrews,

Thank you, Council President Knapp. We have a packed agenda this morning. We'll move as quickly as we can. But we have budgets that I know are of intense interest to my colleagues, as I expect they would be since we're going to be talking about Fire and Rescue, then Liquor Control, and the Department of Police; and then onto the Public Safety Communication systems and technology. So quite a bit to do. I want to welcome Chief Carr to the table. I know the Chief is going to give us an update on the condition of the three Fire and Rescue personnel who were injured in the catastrophic collapse of the floor at the apartment building over the weekend - Captain Dutro, Firefighter James Hika, and Firefighter Mark Macklin. So, Chief, if you can just give us a summary of what happened over the weekend, and then any opening comments you want to make. And then we'll launch right into this budget that's proposed for next year's Operating Budget. And please introduce -- all those at the table please introduce yourselves.

Chief Carr,

Okay. Fire Chief Tom Carr.

Dominic Del Pozzo,
Fire and Rescue.

Alex Espinosa,
OMB.

Chief Carr,

Thank you. I've given you a Power Point but I won't go through every line. But just some salient points here. Obviously, you've heard that Friday night we had a fire in the Twinbrook area of Rockville with a serious outcome; the loss of a civilian occupant of origin apartment, as well as the injury of another civilian, and the serious injury of three firefighters. All of them were taken to the burn center at Med Star -- two by helicopter and one by ambulance. Two of them are in good shape and the third is still struggling to recover but will recover. All three of them have a long road to return to work. They all want to get back to work as soon as possible, and it's going to many, many months to work through the injuries that they have. Most notably, things worked. Things went well. And thanks to the resources of the Council and the Executive have supported over the last couple of years, we've really come together as an organization from many perspectives; including training so that we're all on the same page; command, command competency, as you remember is something that we've emphasized so that we can focus on command that is consistent on every call so that when something goes bad, like a firefighter mayday, they are good to go. Everybody knows what to do. Apparatus, top-notch apparatus that you supported. Personal protective gear held up remarkably well. I can't imagine if they hadn't had the gear on that they did that they would have survived. And the overall focus on four-person staffing, all of the companies except one were at least four-person staffed, and that had a huge impact. Quickly, the specific incident about one o'clock in the morning; we can't really believe that no one called this in. It seemed to have had a significant pre-burn based on the amount of fire that we found when we arrived and the degree of charring and the timbers after the fire. Numerous victims were trapped so the company from Rollins Avenue had to face multiple rescues as soon as they arrived on the scene, as well as increasing fire conditions. The picture on the third page is the rear of the building, and the left window with the ladder to it is the window that the firefighters fell out of. So two firefighters came out of that window, and you can see that's a significant drop. And as a result of dropping, there was injuries sustained in addition to the burns. The next slide, just very quickly, I already hit this, the four-person staffing. Four-person staffing with paramedics ALS [inaudible] support the normal assignment here would be one medic unit and that would



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1 have one paramedic or two paramedics on it. In this case every unit with four-person staffing has a
2 paramedic, so we were able to put the right paramedic resources to bear immediately to take care of our
3 people and the civilians. So that was really effective as a result of our four-person staffing initiative. Our
4 policy, Safe Structure Firefighting Policy, was very powerful in guiding us through what to do as things
5 went bad. And it starts with the recruit training and the in-service training that we've done over the past
6 couple years. It's focused instead of on just bringing units to the academy randomly, we do battalion-
7 based training so you fight like you train, and you train like you fight. You work with the people that you're
8 going to work with on incident in training. And we focused on firefighter safety and firefighter self-rescue
9 and rapid intervention. So it's very powerful stuff that really paid off in this specific incident. And if you skip
10 to, because I know time is short, but second to last page the picture, what happened was the floor on -- I'll
11 just for the sake of this conversation call it the third floor, which was the floor that the firefighters were on,
12 fell into the second floor; a catastrophic failure of the floor, wall-to-wall, wall-to-wall, so straight down the
13 floor dropped. A very unusual circumstance. Normally we end up with a hole in the floor and the rest of
14 the floor maintains its integrity. These apartments were built in the '60's, and we have never seen, and
15 we've been to many fires in this area of Twinbrook Parkway, similar apartments; we have never seen a
16 total floor collapse such as this. Fortunately no one was in the apartment below. It was the apartment of
17 origin. It was where the victim was, although he was not in the apartment. The floor fell straight down. As
18 it fell, the three firefighters took a ride holding onto the hose line as they've been trained to do. And this is
19 the level of debris that they found when they landed. Of course, it was hot and there was fire around
20 them, and they couldn't see. But one of them noticed a flash of light out this window and he dove for it
21 and ended up on the ground. He thought he was -- because of the lay of the building, he thought he was
22 on the first floor so he thought it was just a quick fall. It actually ended up being almost a 15-foot fall. And
23 the other one crawled behind him and jumped out. The third firefighter was trapped in this debris. And if
24 you will, he was somehow able to miraculously grab the hose line and protect himself. There was fire all
25 around him. He was the fourth person on the four-person staffing, and we believe that his ability to
26 operate that hose line probably bought time for those two firefighters that went out the window to get out,
27 because this was an inferno. This is was like being in an oven. And, in fact, the rescuers on the ground,
28 when the firefighter landed on the ground, went up to move him and when they touched him, they burned
29 their hands. The gear was so hot. But the gear held up. The integrity of the gear was incredible. The
30 integrity of the breathing apparatus held up. No respiratory burns, which is typically a significant issue.
31 And the next slide, you can see at the top left of the picture the hose line. And the hose line burned. At
32 the very top of the picture, it's burned through -- one layer is burned through. And in the center picture,
33 that is the carpet from the floor above. And that actually blocked the exit. The firefighter that was trapped
34 worked his way out on his own, and somehow escaped through the area behind that carpet, which was a
35 door to escape. So the current situation is one has gone home, the second one hopefully will go home
36 today. The third one is still struggling with some issues, and we're hoping to get him out by the end of the
37 week. But they all have a long way to go to be successful and back to work. We're very proud of our
38 organization, and the troops just did a tremendous job. They did everything we worked so hard the last
39 couple of years to put in place. It all worked from people to equipment to policy, it all worked. So we're --
40 we were very close to losing three firefighters, as close as I've ever seen. So that's where we are.

41 Vice President Andrews,

42 Thank you very for that. That's -- we're all very grateful that they're going to be okay. And a combination
44 of skill and training and equipment, and some good fortunate.

45 Chief Carr,

46 Yeah, maybe a little luck thrown in there. We'll take it.

47 Vice President Andrews,

48 Thank you, Chief.

49 Chief Carr,

50 Yeah.



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1
2 Vice President Andrews,

3 All right, let's go through the packet that we have. Let me first ask Minna though if she has any
4 comments; Minna Davidson who is our Legislative Analyst for this department.
5

6 Minna Davidson,

7 I think the Committee did a lot of work on this budget. They looked at many of the expenditure and
8 revenue items. There are a lot of puts and takes. They are summarized on page 2 of the memo. And I
9 think I would just have additional comments as necessary on individual items.
10

11 Vice President Andrews,

12 Okay. Thank you. All right. The Committee did make a number of changes to the budget that came over
13 from the Executive. The Executive recommended a net increase of 14 full-time positions. The Committee
14 was concerned about some of the changes the Executive recommended, which included some we had
15 seen before in terms of the elimination of an ambulance unit at Glen Echo and Laytonsville, and
16 elimination of a ladder truck at Hillandale. And you'll see that we did recommend restoration of those
17 proposed cuts, which meant that that added 25 personnel, if I recall correctly. It's in here. To the
18 complement, which then meant we needed to go back and look at the number of recruit classes, or more
19 accurately, the number of recruits needed to maintain those services, as well as to provide the staffing for
20 the West Germantown Fire Station, which is opening next year; and apparently as early as January rather
21 than March or April, which requires a significant increase in personnel as well. The Committee, regarding
22 the West Germantown station, did recommend that the second ambulance unit for that could be -- the
23 second EMS unit could be deferred for a few months, because the increase in service that would be
24 provided by West Germantown will, with the new engine and one EMS unit, be a substantial increase to
25 service in that area. And the Committee felt that the second one could be delayed in terms of its
26 implementation until FY10. And so we did recommend that. But that still means that we needed an
27 increase in the number of people brought on next year to accomplish those tasks, as well as to continue
28 to phase in or annualize the four-person staffing that was scheduled to begin in June of this year in this
29 current budget, which the Chief believes can be brought on in September for some savings, and to
30 minimize some of the overtime that would otherwise occur over the summer. And so the budget would
31 annualize the proposed budget as recommended by the Executive and by the Committee would
32 annualize the four-person staffing, the second phase of it that was going to begin at the tail end of this
33 fiscal year, and begin in September. And the units that will have four-person staffing are listed on page 9,
34 or anticipated at least that would have four-person staffing are outlined on page 9 of the packet. And you
35 can see what was in phase 1, what was in phase 2A, and what would be in phase 2B, which is what we're
36 talking about now. Are there any comments you want to make about the implementation of this, Chief?
37

38 Chief Carr,

39 Just very quickly. This is probably one of the most powerful new initiatives that we've ever put in place
40 because of its impact not only on firefighting but on advanced life support. As you know, we and the
41 region -- you probably saw the Washington Post article -- are struggling with not having enough
42 paramedic providers to support the growing needs of the service, and this program has increased the
43 number of paramedics or folks willing to become paramedics, and also helped us with our retention; and
44 also improved ALS response time significantly, especially in the rural areas of the County. So it's been a
45 very powerful program.
46

47 Vice President Andrews,

48 Thank you. It certainly appears to have multiple benefits, and it is being implemented at a fairly significant
49 rate. And the results so far have been very impressive and appear to have, as I said, benefits across the
50 different aspects of Fire and Rescue. So we've covered really items 1 and 2 -- issues 1 and 2 in the
51 packet, which were on page 8 and 11. And I will just keep going unless there are any questions.
52

53 President Knapp,



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1 Yes, Councilmember Ervin and Councilmember Floreen.

2
3 Councilmember Ervin,
4 I can wait until you get them [inaudible].

5
6 Vice President Andrews,
7 Okay.

8
9 President Knapp,
10 Councilmember Floreen.

11
12 Councilmember Floreen,
13 I have a question, and it's sort of the timeless question of the policy issues associated with sending
14 vehicles to events. And I don't know if this is the right time to ask it or at a later point.

15
16 Vice President Andrews,
17 Sure. No, that's fine.

18
19 Councilmember Floreen,
20 It's been -- it was a busy morning in my neighborhood. As you all know, there was an incident where a
21 pedestrian was killed on -- by a freight train as I understand it on the tracks in the Garrett Park
22 community. And then as I was on my way up here, there was apparently a gas main that was broken by
23 some construction at Holy Cross School. And so the community has been overwhelmed by emergency
24 vehicle sounds this morning. And I have to ask, I'm told -- I did not see this -- there were, you know, units
25 from Cabin John, Wheaton and BCC at least that arrived for the train wreck. Well it wasn't a train wreck --
26 for the train incident this morning, perhaps more. I didn't visually see this. I was told this by the Mayor.
27 And I observed, just as I was coming here, Chevy Chase rescue units arriving at Holy Cross, and there
28 were already a multitude of units there I could see and some additional ones just for a construction
29 accident. I don't know if there was an injury or not. But looking at the priorities with respect to staffing and
30 providing support, I don't question all that, but I do wonder about the need for so many service visits by so
31 many diverse units. We had a fire a couple of years ago where there were people -- there were units
32 there, I think, from Damascus; a lengthy journey under the best of traffic circumstances. And I'd like to
33 hear a little bit about the department's philosophy on these things. I appreciate the need for the right kind
34 of people to be at the right place. But, you know, in this time where we really are worrying about how
35 much we truly can afford, there is, you know, some decisions it seems to me need to be -- need to take
36 that into account. Perhaps you could speak to that.

37
38 Chief Carr,
39 Absolutely. Thanks for the question. First of all, never believe what it says on the side of the piece of the
40 apparatus. The label does not mean that it comes from that place for two reasons. Because of our
41 maintenance situation we have apparatus all over the County. In fact, the Cabin John unit that you spoke
42 of spent nine months over in the Silver Spring area. So never believe what the label says; just know that
43 you'll have trained professional people responding whenever and wherever. Second piece is, it is critical
44 in fire/rescue service, public safety service that we plan for the worst. And a gas leak is a good example.
45 All that gas leak -- and this has happened often across the country. All that gas needs to do is permeate
46 into that school and find an ignition source and that school is gone. And that situation this morning at Holy
47 Cross was a very difficult situation. We had to get people there as quickly as possible and evacuate those
48 children to assure their safety. And that's a good example of it. It seems like a lot of resources but we're
49 worried about doing, preparing and being focused on what may happen, not on what did happen. We
50 don't take the 9-1-1 call and assume everything is going to be good based on what the phone caller says.
51 We assume the worst. And we have to in this line of work, to assume the worst and assure that we send
52 the right resources so that we can deal with the situation. Believe me, I worry about the amount of
53 resources we send all the time because as we send more resources to one incident, it takes away from



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1 capacity to respond to other incidents. And we balance that out. And I think that we have a program that
2 certainly meets the FPA 1710 requirement, and that's the national requirement for staffing. And we work
3 hard to maintain that. It does require a lot of resources. When you look at an incident like Twinbrook; we
4 couldn't get enough people there fast enough, even though all the first units except for one had four-
5 person staffing to rescue those citizens before we had to rescue our firefighters. We couldn't get enough
6 people there fast enough. There were bodies all over the ground. So it's very difficult. You run an
7 automobile accident; you send enough resources to assume that the patient may be trapped in the
8 vehicle. You do as much triage as you can on the phone, but you still assume the worst to err on the side
9 of supporting the patient or supporting the community member.

10
11 Councilmember Floreen,
12 Right. And I appreciate that, you know, these are the holistic con -- decision has to be made. But who is
13 making that decision for the number of vehicles that must come, and the ones that don't need to come?
14

15 Chief Carr,
16 I'm making that decision. And based on good science and input from my senior staff, both career and
17 volunteer, and national expectations, national standards. And we're -- and if you look at what we do, by
18 the way, every jurisdiction, at least in the region, is doing the same thing. In fact, we all operate on pretty
19 much the same protocols. Assembling the right number of people there on the scene to do the tasks that
20 need to be done with the right types of resources; HAZMAT, the Holy Cross incident this morning
21 required the HAZMAT unit respond. So that's a whole other group of people that's a separate module that
22 plugs in. But our concern is the community, assuring that that gas doesn't permeate into other buildings.
23 And not only blow up the school but maybe, you know, houses in the neighborhood. It's very important
24 that we get into that neighborhood with our meters, our technical equipment, and assure that it's safe
25 before we allow people to return. So this is tough stuff. The same thing with more simple calls, you know,
26 how many -- you have a person down in the street, how many people do you -- units do you send. Well, if
27 the unit here in Rockville is not available and you have to send one from down on Rollins Avenue, maybe
28 you send a unit here from Rockville as a first responder, or fire engine as a first responder, so that the
29 person isn't sitting in the street for 10 minutes, because the units are so busy on other incidents.
30

31 Councilmember Floreen,
32 I've seen six vehicles arrive for a kitchen fire.
33

34 Chief Carr,
35 Absolutely. You'll see kitchen fires should be four, three, seven, ten, about twelve vehicles.
36

37 Councilmember Floreen,
38 It really does boggle the mind.
39

40 Chief Carr,
41 I think -- .
42

43 Councilmember Floreen,
44 It cheers the neighbors up, certainly, but those of us who are worrying about, you know, keeping the
45 dollars under control do have -- have to react. And that is the community response as well at a certain
46 point. Some, yes. That many, it seems to me, would be exorbitant.
47

48 Chief Carr,
49 I would love to -- and I provided a presentation -- several presentations to the Public Safety Committee
50 about why we send what we send, and I would really enjoy engaging more in helping lay out our logic. I
51 mean there is method to our madness here and there really is.
52

53 Councilmember Floreen,



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1 Well it seems to me -- it just seems that everything where you assume the very worst under every
2 circumstance no matter what. And what I don't -- I obviously need to understand is how at what point do
3 you decide that, you know, it's not the tsunami or it's not the -- it's not the maximum problem that you
4 might have anticipated at that -- at the get-go.

5
6 Chief Carr,

7 And I think we have it scaled pretty tight. I mean, we -- certain units don't respond until other units get on
8 the scene and say, okay it is a working fire, then we send additional units as opposed to sending them all
9 at the same time. We're a very busy -- one of the busiest fire departments in the country. There's a lot of
10 work, a lot of fires, a lot of EMS calls, a lot of serious calls; and we're sending the right amount of stuff to
11 get things done. Now as we implement -- fully implement the four-person staffing, we may be able to
12 reduce the number of units we send, as we put that all in place.

13
14 Councilmember Floreen,

15 Well, does that go to the issue, for example, if someone is calling because they think they're having a
16 heart attack or some health-related issue? As I understand it, you'll send a rescue vehicle and you'll send,
17 I think, a ladder, or you will send a large vehicle.

18
19 Chief Carr,

20 It totally depends.

21
22 Councilmember Floreen,

23 I mean, I've seen that routinely. I have a lot of -- regretfully, a lot of neighbors who are at a stage where
24 they have a lot of health issues. So we have many visits -- .

25
26 Chief Carr,

27 When you have -- .

28
29 Councilmember Floreen,

30 Particularly by the Kensington folks [inaudible].

31
32 Chief Carr,

33 When you have a heart attack, you're going to get a unit that is the closest unit to you so they can take
34 immediate life-threatening, life-saving intervention. You're going to get a unit that has a paramedic on it.
35 And you're going to get a transport unit. That all could be one unit, two units or three units, to assemble
36 the right qualifications and number of people; it just depends on the call. The Kensington station by your
37 home does not have a paramedic.

38
39 Councilmember Floreen,

40 So it depends on which -- how -- what the staffing is?

41
42 Chief Carr,

43 Staffing, absolutely.

44
45 Councilmember Floreen,

46 The staffing capabilities of who's on which vehicle.

47
48 Chief Carr,

49 Yes, absolutely.

50
51 Vice President Andrews,

52 And other calls, as well, that are occupying the first unit [inaudible].



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1 Chief Carr,

2 Right. I mean, we're doing 100,000 calls a year; most of them between 9:00 and 9:00. So you're going to
3 take 100,000 calls and you squish it into 12 hours a day, that's a lot of activity. And units are all over the
4 place. I mean you could, you know, listen to the radio right now and you'll hear units just scattered all over
5 the County because they're responding to calls. And as one goes out and another call happens in the
6 same, area another one has to fill in. It's all day long, 12 hours a day.

8 Councilmember Floreen,

9 So are you the individual then for the major events or where you fear a major event, you personally make
10 a decision as to the extent; or is it more of setting the policy.

12 Chief Carr,

13 It's policy, and we operate within that policy. And the intake commanders with the crew or volunteer
14 operate within that policy. And it's all set up in advance and well thought out and well vetted within the
15 organization, and within the region. And then they can also -- the intake commander on the scene can
16 modify the response based on what their situation is. They can say, I need more, I need less. The
17 Twinbrook fire, they needed additional paramedic units, transport units, they call from ahead for
18 paramedics because they were on the fire trucks. They needed transport units. They needed two
19 helicopters. Though those things were initially dispatched, they were utilized based on what they found
20 when they got on the scene. That call required a third alarm, significant amount of resources within the
21 County to deal with that call. And later that day we had another serious fire out here in Darnestown that
22 required significant resources to deal with. I mean we are really balancing the resources to provide the
23 best life protection and property protection that we can to the community and to our firefighters.

25 Councilmember Floreen,

26 Okay. [Inaudible].

28 Vice President Andrews,

29 I would have to say that the number of adjustments that have to be made on an hourly basis in the fire
30 services is a very large number. And it makes it more complicated. It really requires both the policy
31 ahead, but also the flexibility as the situation emerges and accounting for all the different units that are
32 out on other calls; it's really a very fast moving target. And I think the Chief has been, I think, masterful in
33 assessing the need to move units around that are moved around on a daily basis as vehicles are repaired
34 as well. So there really is a lot of movement on a day-to-day basis and then on a minute-to-minute basis,
35 depending on the call. It's very complicated but I think we're in good hands. I want to thank my colleagues
36 on the Public Safety Committee especially for all the good work they did in Committee on this. We had
37 three work sessions on the budget. I know Councilmember Ervin wants to comment on the Hillandale
38 issue, but we're not quite there yet unless Marc Elrich is on that too.

40 Councilmember Elrich,

41 I just wanted to tag onto what Nancy just said.

43 Vice President Andrews,

44 All right, go ahead.

46 Councilmember Elrich,

47 We've added a couple of flex units to the department, so when you respond -- when you get a call like a
48 health call or heart attack call, you send the flex unit. Do you only send the flex unit then? Does that have
49 everything you need?

51 Chief Carr,

52 It depends on the incident. What we've done with the flex units is increased our BLS capacity, our non-
53 life-threatening capacity, which has increased the availability of the advanced life support units. So what's



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1 happening is instead of advanced life support units having to pick up BLS calls, they remain in service for
2 ALS calls. So that's had a huge impact, especially in Gaithersburg and Aspen Hills. So it could be that we
3 send that unit by itself. It could be that it goes to support someone else. It just depends on the
4 circumstances. But it's definitely helped.

5
6 Councilmember Elrich,
7 I just think that Nancy raises good questions, and we've asked these questions before about -- because
8 we see the breakdown between fire and between life support. And you're running 10% of your calls on
9 fire.

10
11 Chief Carr,
12 No it's about 25 -- 76/24.

13
14 Councilmember Elrich,
15 Not house fires?

16
17 Chief Carr,
18 Well actual house fires are only 1% -- actual working house fires is on 1%.

19
20 Councilmember Elrich,
21 The overwhelming load is life support-lead.

22
23 Chief Carr,
24 Emergency medical services.

25
26 Councilmember Elrich,
27 And so I think the question of how many vehicles you need to send to deal with that is a good question.
28 And I think that there is some merit in looking how we -- I've asked this before -- at looking at ways of
29 providing vehicles/personnel that can go out as a single vehicle in response to these calls and not require
30 the sending of anywhere from one to three different vehicles to answer it, because assembling personnel
31 is expensive. You're not just getting the person there; you're getting other ancillary resources there that
32 you really don't need. You're sending out a whole truck maybe to get the paramedic there. That's a lot of
33 resources being sent for something that's not necessary but it's the only way we have of getting them
34 there. And I think that in the long run, assuming that we're going to continue to have this breakdown
35 between life-support demands and fire demands, that we do need to look at ways of having more flexible
36 ways of responding with the appropriate equip -- with a piece of appropriate equipment that can get the
37 job done, that doesn't require stripping equipment from other stations, so that equipment is available for
38 other things that it might be more appropriately needed. And this is not the time to do it in the budget, but
39 I think it's an analysis that needs to be done. And I think we really do need to think about what's the best
40 way of providing the service. When I asked the question when I first came on the Council, you're
41 response was well ours is a fire-based system. And I acknowledged that it is a fire-based system, but the
42 real world has changed from less fire-based and more life-support. And it seems to me that we need to
43 think about how do you hybridize the system so it maintains the core fire but it also responds more
44 efficiently to these other demands that are being placed on it. Not for a solution here, but I think it's
45 something we need to talk about this year.

46
47 Chief Carr,
48 If I could just quickly throw out that the fire-based EMS system is a system that allows us to utilize
49 personnel in both EMS and fire. An EMS-only system would require you to hire a completely separate
50 staff. What you get by having this system put together is you get the best of both worlds. All the fire
51 personnel are EMS personnel. They all respond to EMS calls. When I respond with a fire truck to support
52 a medicated EMS call, I take that fire truck with me. That means that I'm available for the next call in the
53 community. If that fire truck is a four-person fire truck that means that the fourth person is an ALS



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1 provider. That means when that paramedic unit that they're supporting goes to the hospital and a heart
2 attack happens next door, there's a paramedic right there ready to go. In the old system you didn't have
3 that. The paramedic had to come from the next community. This is a powerful model that we're using. I
4 know, you know, as you look at the standards, what does it require to run a cardiac arrest? You need at
5 least five people. I'm not going to put five people on a medic unit to support that cardiac arrest when I can
6 put two people on a medic unit and four people on a fire truck and support them on the scene. And then
7 when they're stabilized and ready to transport to the hospital, the two of them can go to the hospital. And
8 the rest are available to serve the community. Remember, they don't have to be sitting in the fire station
9 to be able to serve the community. In fact, during the day, 12 hours a day, they're not in the fire station;
10 they're running calls all day. And it's very powerful. It gets the closet unit there as quick as possible. The
11 other models, the EMS only model does not do that. It really does not. Departments across the country
12 have been through this. And we learned from others and have developed this model. And others are
13 copying our model. In fact, as we speak, Fairfax is implementing our model because it's been so
14 powerful. And I'd really like to spend some time helping educate.

15
16 Vice President Andrews,

17 I think that's a good idea. When we come back, there's obviously a lot of interest in how decisions are
18 made about staffing and possibly different variations. So we'll have a follow-up session on this where we
19 can go into the amount of detail that we need to go into. But at this point I really think we need to keep
20 going with the operational budget issues before us, since I don't think that we would see this short-term
21 impact, at least, for the next few months or year. But we will come back to it. I know that a number of
22 Councilmembers have expressed interest in this. And we have had some discussions about it in Public
23 Safety. Councilmember Leventhal.

24
25 Councilmember Leventhal,

26 I just wanted to remind my colleagues, I know Chairwoman Floreen knows this, that there is a
27 requirement in the Climate Protection Plan that the Council passed that Fire and Rescue get back to us
28 with a plan for minimizing redundancy and thinking through cost efficiency and energy efficiency with its
29 vehicles. And so I feel like déjà vu here, because we had this very same conversation with the Chief and
30 Chairwoman Floreen's Committee just a little while ago. And the Chief has told us he will be coming back
31 to us with a plan that lays out exactly how and when and how best and most efficiently to use his vehicles
32 and his personnel. So we have that to look forward to.

33
34 Vice President Andrews,

35 One quick follow-up.

36
37 Councilmember Floreen,

38 Well I would ask I'd like to join you when you take this up again. And I would like to understand the
39 department's approach on that EMS side, given the success of the BCC rescue squad operation; which is
40 not a fire-based initiative as I understand it. But understanding how that kind of operation fits in with how
41 you handle things and whether that's a model that might be looked at to support your fire focus there in
42 other parts of the County.

43
44 Chief Carr,

45 BCC is a fire-based. It is an integrated -- .

46
47 Councilmember Floreen,

48 They don't have -- they don't put out fires.

49
50 Chief Carr,

51 Absolutely, they support -- they're part of the support in putting out fires, and they absolutely are an
52 integrated part. They take command. They are integrated fully into it. They operate as part of the system,
53 and they are an integral part of the system. It is exactly the same.



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1
2 Councilmember Floreen,
3 But they're a little different in terms of how they -- I would like to understand that.

4
5 Chief Carr,
6 Yeah, they're exactly the same.

7
8 Councilmember Floreen,
9 I don't claim to be an [inaudible].

10
11 Vice President Andrews,
12 All right, I will schedule a work session after the budget in the summer, and we'll make sure that it's a
13 convenient time for Councilmembers who are not on the Committee too. All right. Issue 3 was the
14 elimination of high-time staffing for Glen Echo and Laytonsville, as was the case during the budget
15 savings plan, which where we rejected these reductions. The Committee also rejected this, and has
16 placed this amount on the reconciliation list, because our view has been that we need at least maintain
17 the response times that we have and where we can improve them. So, let's see, Councilmember Berliner,
18 would you like to comment?

19
20 Councilmember Berliner,
21 Very briefly. I've advised that that would serve my interest to be very brief, and so let me just thank the
22 Committee with respect to its work there.

23
24 Vice President Andrews,
25 Brief is the word.

26
27 Councilmember Berliner,
28 I have heard a lot, as I know the Committee has, from my constituents with respect to this. And I am
29 grateful that we are maintaining the posture that we've consistently had on this issue, which is this is not a
30 place to make cuts. Thank you.

31
32 Vice President Andrews,
33 Thank you, that was brief. The impact of that decision if we restore it on the reconciliation list is to add
34 back 11-1/2 work years, and that's a cost of \$870,000. Issue 4 was the elimination of staffing for the
35 Hillandale Station 12 ladder truck. That was also rejected earlier in the -- last year on the budget savings
36 plan. It came back. We rejected it again. Put it on the reconciliation list restoration it's 13-1/2 work years;
37 a cost of \$1.87 million. And I see that Councilmember Ervin would like to comment.

38
39 Councilmember Ervin,
40 Good morning, Chief Carr. It's always great to see you. I wanted to take this opportunity to thank you and
41 all the men and women of the Fire Service who serve us all so admirably. And we never get to hear what
42 a great job they do until one of us needs them for the service that they provide our County. And we're so
43 grateful for that service. I wanted to ask a couple questions about the Hillandale ladder truck. I was
44 recently at the Takoma Park City Council meeting, and the City Councilmembers of Takoma Park are
45 very concerned about losing this ladder truck in terms of what the impact on the city of Takoma Park will
46 be, but also east county, because, as you know, this is a lot of the older apartment buildings are located;
47 they don't have sprinkler systems. And my neighbors and constituents in that area are extremely
48 concerned about the loss of this ladder truck. So if you could speak to that, I would really appreciate it.

49
50 Chief Carr,
51 Sure. We're at a point, as they County grows to a million folks, that we really -- it's difficult to make any
52 cuts. There's no doubt. All that you all said is true. I mean it is very difficult for me to try to find ways to cut
53 service. The Hillandale truck, specifically, not to make this too complex, but trucks are lined up currently in



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1 an east/west configuration. If we take the Hillandale truck out of service, we change the alignment to a
2 north/south configuration, which gives us trucks at Silver Spring Station 1, Silver Spring Station 16, which
3 is on University Boulevard, and Burtonsville; as opposed to the current alignment which currently is Silver
4 Spring Station 1, Station 19 which is Montgomery Hills, and Burtonsville as the third one. Both
5 configurations work. I like the original configuration best, but both configurations work. In fact, for a
6 significant number of months we had two ladder trucks out of service because of ladder failures, and we
7 did this configuration; it worked just fine. The distance in response time from Station 16 on University
8 Boulevard to Station 12 is negligible, the difference in response time. The configuration of the truck at
9 Station 1 as opposed to Station 2, the Takoma Park Station, I've maintained all along that the majority of
10 our high-rise residential occupancies are in Station 1's area, in fact, more than anywhere else in the
11 County. They have the most un-sprinklered residential high-rises in the County in Silver Spring Station 1's
12 area. It is a growing area that the response volume is hugely increasing. In fact, truck 2, when it's at
13 Takoma Park, has a very low, it's in the bottom third of the response volume. Truck 1 at Station 1 is in the
14 top of the response volume; so just that 1.3-mile difference in response time changes significantly the
15 volume of that truck. And it is 1.3 miles so the truck going from Silver Spring back into Takoma Park is not
16 a significant difference. What we try to do is line up so that we have two engines, two pumpers and a
17 ladder truck arrive together. So on any building fire there are two engines and a ladder truck, and a
18 second set of two engines and a ladder truck. We try to have them arrive together; ladder truck
19 supporting each set of two engines. And we can still get that configuration very nicely with the Hillandale
20 truck out of service. Again, it's not what I want to do, but given the constraints, it's what we're -- the best
21 opportunity to put a truck out of service.

22
23 Councilmember Ervin,

24 One follow-up question to that, and that has to do with the possibility of the ladder truck not returning to
25 Takoma Park, and what would happen then if the City of Takoma Park is dependent upon Prince
26 George's County for first response?

27
28 Chief Carr,

29 Well, we operate, since the early 1960's, in a mutual-aid environment in the whole region. And we
30 operate with Prince George's and with Fairfax, and with Frederick, and Howard and Carroll every day,
31 day in and day out. It's the closest unit goes, so it doesn't matter where the unit is come from. They
32 operate on the same protocols and generally are equipped the same and staffed the same, generally.
33 While we like to use our own resources of course, we are not adverse and we do, probably at this very
34 moment, there's a Prince George's County unit in Montgomery County, and we've probably got one or
35 two in their county at this very moment. The geographic boundary does not matter. And we'll continue to
36 do that. It's been effective since the early 60's and has worked well. In fact, our relationship with them and
37 all the departments in the region is stronger today than it's ever been. We're more one region than we've
38 ever been now. So I'm not uncomfortable with that. I do not believe that it will have a negative impact. In
39 fact, we've studied historically if we move the trucks to the different locations what the impact will be; and
40 it does not concern me.

41
42 Councilmember Ervin,

43 Well, I just will close by saying, you know, how much admiration I have for you and the job that you do for
44 us here in the County. But I will tell you that the constituents that I represent in the City of Takoma Park
45 are not one bit happy about it. And so I see that Councilmember Elrich has his light on, maybe he can
46 speak to that too. Thank you very much.

47
48 Vice President Andrews,
49 Councilmember Elrich.

50
51 Councilmember Elrich,

52 I was around in Takoma Park during one of the presentations about taking the ladder truck out of there.
53 And while the response times may not concern you; the response times really did concern us, particularly



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1 on that end of the County. We have extensive experience with Prince George's County. They don't staff
2 the way we do. They don't fund the way we do. And there's a difference in my mind between mutual aid,
3 where you go to help each other when you need to, and making part of Montgomery County dependent
4 on the Prince George's County Station. That's just not acceptable. We pay taxes here, and the
5 expectation is we get our primary service from here. When it's appropriate we should all aid each other
6 across the lines. But I have zero interest in seeing the truck leave that station. I think that it's the wrong
7 way -- and you're right, we've not dealt with growth very systematically in this County. This is why we're
8 just now building fire stations, and, you know, the strategy seems to be we'll strip the down county of
9 services in order to provide more services to the rest of the county because that's the cheapest way to do
10 it. I don't see the idea of diminishing services in one area of the county to be a particularly good thing.
11 Those are things that people really value and look to the county and say this is one of the great things
12 about the county. So to diminish services in one place in order to provide services someplace else
13 doesn't work for me. I think we need to bite the bullet and we need to provide the services throughout the
14 county. We shouldn't make things worse in one place in order to deal with the problem elsewhere. I'm
15 happy to add the firefighters to make sure that you can staff the stations. And I've raised my concern
16 before about looking at the long-term, you know, the six-year budget where we showed, you know, flat
17 staffing. And I look at that and I'm thinking how many stations are we going to be opening if there's no
18 projected increase in payroll. That tells me we're looking at pulling more and more firefighters out of
19 existing stations. I think we need to plan for the growth and pay for it. That's just the consequences of the
20 decisions that were made.

21
22 Chief Carr,

23 And certainly I'm totally with all of you. I mean, the more resources that we can deploy more strategically
24 are better. I'm dealing with the resources I have, and, you know, I'm doing the best I can. I think we're
25 doing well. But each of your points is valid and certainly are points that I would agree with if I had the
26 resources to do everything that we need to do as we deal with the growth.

27
28 Vice President Andrews,

29 And we have been working hard in the last few years to catch up on a number of needs in the
30 department. The new initiatives are listed on page 6 that have been implemented over the past few years,
31 and it's quite a long list; additional staffing UCC to reduce overtime; interim station Clarksburg; four-
32 person staffing; three EMS flush units; the apparatus management plan; code enforcement initiative,
33 which is going full-speed ahead; the reorganization; more recruitment; additional resources for the
34 wellness and safety for officers; and some others as well. So there's a lot going on and we are working
35 hard to keep improving to our constituents so they are protected and have good access to our emergency
36 services; as importantly, vice versa, that our emergency services can get there in a timely fashion. And
37 that's why we're adding the fire stations so that they can be within a certain distance. Which is, of course,
38 crucial for fire and rescue. So let's move on to issue 5, which is the flex unit hours. We have added EMS
39 flex units at the Chief's urging. There are two existing units in FY08 budget at Station 8 Gaithersburg and
40 the Aspen Hill Station Kensington 25. This budget would -- the Public Safety Committee is recommending
41 the additional 178,000 annualized at Silver Spring flex unit, and a reduction of 201,000 which would be
42 absorbed by a slight reduction in the number of hours overall among the three units throughout the year
43 that the Chief will allocate as he determines. So it establishes the third one but has a slight reduction in
44 the number of hours overall that the units would be in place, and the Chief will determine how best to
45 allocate that. Issue 6 was the recruit classes. The Committee spent a lot of time when this came back on
46 this because we want to make sure that we continue to have the necessary supply of personnel to
47 achieve these initiatives. And after a lot of good work by the department, we came back and concluded
48 that we needed 80 net new positions -- 80 new recruits after any attrition that occurs in the classes to
49 replace those fire and rescue personnel that leave during the year, and to staff up the initiatives we've
50 talked about. So the plan is for two 40-person recruit classes that would begin September and March, I
51 think. And there is a reconciliation list item of \$429,000 to add 10 recruit slots. We agreed that a third
52 recruit class was not necessary, so there was a savings there. The County Executive had concluded that
53 as well, but we need those two recruit classes that were then planned to be a little larger than would have



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1 been. So there's 429,000 on the reconciliation list for that. Next item is overtime. This has been a issue
2 we've also spent a lot of time on to work to truly understand what the basic overtime need is in the
3 department. The Inspector General has looked at this as well. It's a work-in-progress. Chief has been
4 putting in a number of reforms to better track overtime and to work to come up with a number that is the
5 most appropriate number for overtime. It is a moving target. It is difficult more so in the Fire and Rescue
6 service than in some other departments because of the amount of moving parts, nature of the service, et
7 cetera. The Executive is recommending significantly less in overtime as a budget than has been spent in
8 the last couple of years. The last couple of years the amount spent has been around 15 million; the
9 Executive is only recommending 9 million or so. Because the department has not had to come back for
10 supplementals because it has been able to absorb the overage in overtime through other personnel
11 funds, we are not recommending a change to this number at this point. We think the department can
12 probably stay within their overall budget for personnel with this figure as they have in the past, but we will
13 track it; and that is the Committee recommendation. The Chief continues to work to implement reforms in
14 this area to improve management overtime. And we will follow that with interest as well. The issue 8 is
15 operating expenses. There is a reduction in some operating expenses. We'll follow this as well. This is
16 going to result in some very tight management, but we accepted the recommendation of the Executive for
17 a reduction of 1.2 million in this area. The Committee did not budget money, either revenues or
18 expenditures, regarding a potential ambulance fee. This is an issue that will come before the Council in
19 the coming months. The Council President made the decision, I think wisely, to hold off on the legislation
20 outside the budget because of the significant policy change that it would entail, and the need to really
21 have a good conversation about it not to assume money from it before a decision is made about whether
22 to do it. So that really is the sum of that. It means that there's 743,000 less in expenditures and about 6
23 million less in projected revenue for the year that will need to be addressed in some other manner, at
24 least in the next few months. Issue 10 was the occupational medical services adjustment. This has been
25 a very important initiative to provide physicals on an annual basis, including for the volunteer personnel
26 who are participating now at a very high rate, if not 100%. I think it's up to 100% now. And this reflects the
27 additional cost of that initiative, which has been credited with a number of crucial saves at catching
28 serious diseases very early -- cancer, heart disease, and so on. And this is a strongly supported initiative
29 by the Committee, and we're glad to see it's having that kind of impact. Service-wide accounts and LFRD
30 budgets; this is a tight budget as well. The LFRD budgets have remained flat over the past several years.
31 The LFRD's do a great job of helping to pick up the difference, but they are limited in their resources too. I
32 would just make a general comment about fuel, which we all know gasoline has gone up so much in the
33 past few months. And the budgets for this in other departments throughout the county government and
34 the school system assume fuel costs that are much less than the current rates -- the current amounts. I
35 think that the Council is likely to have to deal with a supplemental next year to address this, and we
36 should expect that that will be a needed claim on the reserve that we should plan for, because it does not
37 look like we're going to see any significant reduction for a while. Or at least not back to the levels that
38 were assumed in the price of gasoline. And we will see some big increases in the budgets there. But I
39 believe we will be dealing with that probably on a supplemental basis. So I just alert people to that. That's
40 likely to eat up some of the reserve. Issue 12 is recruitment. Recruitment has been stepped up and is
41 going well. It's crucial. We want to maintain a very competitive group of applicants, and so far we are. And
42 the department has worked very hard on this, as have both the career and the volunteer services have
43 worked together to step up their efforts. And we're seeing good results. We are though approving a
44 reduction of 150,000 in recruit overtime, as recommended by the Executive. Councilmember Leventhal.

45 Councilmember Leventhal,

46 A very quick question, Mr. Chairman. A couple of years ago we had a big issue here in the Council about
47 the diversity of the recruit classes, and I just wondered whether the Public Safety Committee is continuing
48 to keep that issue -- ?
49

50 Vice President Andrews,

51 Yes.
52
53



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1 Councilmember Leventhal,
2 Continuing to review that issue?

3
4 Vice President Andrews,
5 We are. And, Chief, would you like to comment on that?

6
7 Chief Carr,
8 We're working hard at the issue. The resources that you all provided a couple of years ago have helped.
9 The new resources have helped. It is a struggle to maintain good robust pools of diverse folks. But we're
10 primarily focused on that and I think we're making good progress. But there's plenty of work to do.

11
12 Councilmember Leventhal,
13 We don't need to get them, but I'd just be interested if the Committee has gotten a memo showing the
14 progress that has been made by the department in that area.

15
16 Vice President Andrews,
17 We have, but we don't have it before us. Let's get an update on it though and we'll circulate it.

18
19 Councilmember Leventhal,
20 Yeah. Thanks.

21
22 Vice President Andrews,
23 Thanks for the question. Issue 13 is Senior Citizens Fire Safety Task Force. This task force met last year,
24 did a lot of good work. A very large percentage of fire deaths in the last couple of years have been senior
25 citizens. And they are particularly when living in high-rises, as many do, at real risk. High rises were the
26 first target of the fire code enforcement efforts. And the department did complete inspecting all of the high
27 rises in the County, many of which are not sprinklered, which is a serious problem or concern. And this is
28 the recommendation of the Senior Citizens Fire Safety Task Force were -- are being implemented as we
29 go. Sprinklers -- retrofitting sprinklers was one of their recommendations as well. This is an item that
30 would help us move forward with some of the recommendations of the task force, and so we're
31 recommending 134,000 that the Executive recommended for this Senior Citizens Fire Safety position to
32 coordinate these efforts. Issue 14 is the proposed elimination of fire and rescue commissioner stipends.
33 We plan to come back on this issue. We felt that it was worthy of discussion but that it would be
34 premature to simply eliminate the stipends without looking at -- without having a discussion about it with
35 the Fire and Rescue Commission and with the changing whatever legislation we would need to change
36 over here in order to accomplish that if we so chose to do that. So the Committee is recommending
37 putting that amount back on the reconciliation list to restore the stipends while we take up that issue.
38 There certainly were -- people were appointed with the expectation that there would be a stipend, and to
39 eliminate the stipends would be a very big change. So we are recommending putting that on the
40 reconciliation list and coming back to the issue.

41
42 Councilmember Leventhal,
43 I'd just like to say about this, I recognize this is squarely within the jurisdiction of your Committee, Mr.
44 Chairman, and it would be my hope -- I mean, this is a small item. But budgets are made up of small
45 items. And so it makes all the sense in the world to me that this change ought to occur and that it ought to
46 occur soon. So if there's legislation needed to accomplish it, and the concern is, you know, we haven't
47 introduced the Bill yet, similar to the conversation we had yesterday; you got to change the policy before
48 you take the money away. Okay, fair enough. But let's embark upon this post haste. Because I mean the
49 idea that volunteer commissioners whose duties have been dramatically changed ought to have \$1,500
50 for expenses when, you know, we have so -- there are very few boards and commissions that get any
51 stipends at all.

52
53 Vice President Andrews,



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1 Right.

2
3 Councilmember Leventhal,

4 And we're in a place now where there's a lot of boards and commissions whose duties are comparable to
5 or more than this one and it's become sort of an anomaly. So it would be my hope that we could consider
6 such a legislation quickly. It will not surprise me that a dozen or more commissioners who are getting
7 stipends are unhappy that the stipends are being taken away. But we can't make decisions solely based
8 on the input of a dozen people, we have to -- .

9
10 Vice President Andrews,
11 Yeah, we agree.

12
13 Councilmember Leventhal,
14 [Inaudible] public [inaudible] so.

15
16 Vice President Andrews,
17 We just thought it was premature to do it without looking at the -- what legislation would be required or
18 policy change, and so this was a very sudden change.

19
20 Councilmember Leventhal,
21 I would think the sooner the better, if we could make that change to legislation.

22
23 Vice President Andrews,
24 Yeah, we plan to.

25
26 Councilmember Leventhal,
27 And then get the input of the commissioners whose input will not be surprising. We can pretty much
28 predict what it will be, and then act as quickly as we could on the legislation.

29
30 Vice President Andrews,
31 Strange things happen sometimes.

32
33 Councilmember Leventhal,
34 Early in the fiscal year.

35
36 Vice President Andrews,
37 Yeah, we plan to do it soon. Okay. Issue 15, lease for fire investigations. The department has, in the
38 budget, \$100,000 to lease expansion space to provide equipment use for bomb containment. The
39 Committee agreed it's important that this be centrally located, easily accessible so it can be deployed
40 quickly. And so we recommended approval of this item. We do encourage the service to see if it can be
41 done at less cost if possible than 100,000; but we recognize that it's an important need and support the
42 proposal. All right, I touched on the revenues from the transport fee to the ambulance fee already. There
43 is a proposed new fire marshal report fee that is anticipated to -- hoped at least to generate in the range
44 of \$50,000. We support that. Code enforcement fee, this is a very important -- the code enforcement
45 initiative is very, very important. Fairfax County launched a similar initiative a few years ago after finding
46 that, as our department has, that whenever -- almost whenever they go to a fire or to a call it's in a
47 building of any kind, residential building that they find fire-code violations often serious ones. And so we
48 want to get a head of it and do more preventive efforts so that if there are fires there that they're likely to
49 be more contained with less potential damage. So this initiative has been underway for about a year. It is
50 meant to be -- intended to be totally fee supported; not there yet but we're working on it. And the fees are
51 being raised by a significant amount -- a \$35.00 increase per hour increase in the fee in order to help get
52 it closer to being totally fee-supported. And we expect revenue -- the revenue assumption is 4.3 million for
53 code enforcement next year. The cost of this initiative is about 6-1/2 if I see it here. So we are not there



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1 yet in terms of it being totally fee-supported but we're moving in that direction as quickly as we can. And
2 the fire code enforcement officers are working very hard to get through the County. They're working in the
3 Garden Apartments now, which is a large number. Council President Knapp.

4
5 President Knapp,
6 Once you get through.

7
8 Vice President Andrews,

9 Okay. Issue 20 is assistant firefighters. We need a county match. This is on the list as well so we can use
10 the grant of 1.2 million to purchase public safety communications equipment. And I'd just add a couple
11 other comments. There are a couple things that are -- there's one item that's definitely missing from this
12 budget and that is apparatus maintenance. It is a continuing need. The estimated amount annually is in
13 the 7 to 8 million range, I believe. It may be a little higher than that. But it's in that range that we project
14 we need to spend to maintain and replace apparatus on a regular schedule. We just purchased about 70
15 pieces of apparatus for roughly \$32 million, which will help us a great deal. And the ambulances have
16 been coming in. The engines have been delayed because of the first company that we contracted with
17 went bankrupt, and so there's been a delay there. So we are moving along with purchasing, but it's a
18 concern that there wasn't anything proposed in this budget from the Executive for apparatus maintenance
19 staying on that plan. And we will have to address that in the next year or two. But it is not addressed in
20 this budget at this point. Council President Knapp.

21
22 President Knapp,

23 Thank you, Chairman Andrews. I just wanted to commend you for your efforts in putting this together. We
24 rearranged a lot of this budget to try and better meet the needs of the Fire and Rescue Service. And I
25 very much appreciate the efforts of the Chief. You were dealt a pretty poor hand in the first place, and I
26 think you did a good job at trying to make recommendations. And I appreciate the comments of my
27 colleagues. But I think to be fair you were given numbers and you had to try and meet those numbers.
28 And you did the best that you could to try and come up with things that would have minimal impact, and
29 there's not a good way to do that. And so I very much appreciate your efforts. I can't speak to what the
30 Council did as it relates to funding for Fire and Rescue before I got here six years ago. I was somewhat
31 dismayed because we didn't make the expenditures that there were there. The Council Vice President
32 walked through the number of things under his leadership the Committee added over the last six years. I
33 think we've made great progress, but we are in a really deep hole. And we are slowly pulling our way
34 back out of that hole. And so I appreciate the comments of my colleagues from Takoma Park/Silver
35 Spring area. But I think we need to be -- I think we need to be careful about how we have the dialogue
36 about the up-county/down-county kind of conversation, because there's a shortage of resources in our
37 Fire and Rescue Service. I think everyone recognizes that, and the challenge that we have is to make
38 sure we continue to increase that pie. And if it gets cast as we're taking up this to redo that -- we have a
39 million people. We have a big county. We are going to have to try and allocate our resources as
40 effectively and as efficiently as we possibly can. And we have been working from the Council side to
41 really make those investments over the last few years. And I think we're making great progress, which is
42 why I know that the recommendations that the Chief had to make were probably as troubling to him as to
43 any of us sitting over here. And so I very much appreciate what you put on the table. And I would just
44 note that if you look back on -- where is it -- circle 61. If you look at the fiscal plan, even with modifications
45 to the consolidated fire tax district property tax rate, modified downward, which we talked about this the
46 other day, the various [inaudible] taxes that get into our overall property tax rate our charter limit, they get
47 modified each year to try and reflect the needs of our funding requirements. Even with the downward
48 modification that the Executive was recommending there's still \$193 million, which is \$2 million more than
49 what's being proposed by the Executive, that will be going to Fire and Rescue Services. So as it relates to
50 the consolidated fire tax district, there are resources there to continue to invest in fire and rescue. And we
51 need to be mindful of that. We can move pieces around, and we will as we try to make our property tax
52 rates to be the appropriate property tax rate to meet the criteria for our County. But I think the passion
53 that Councilmembers spoke with today clearly this is something that our communities feel strongly about.



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1 The survey results we saw back in December when people look at what is most important in their county,
2 public safety is at the top of the list. And so it's a basic requirement of government to provide that
3 function. I think we need to continue to focus on that. And so I appreciate the leadership of the Chair of
4 the Committee in that effort, and very much the Fire Chief in his efforts to try and keep everyone working
5 in the right direction. And I appreciate the recommendations you made knowing that you were as
6 judicious as you possibly could be. And hopefully we've made some helpful recommendations to make
7 that a little better going into next year. As it relates to the EMS ambulance fee, we are scheduled for
8 introduction of the Executive's recommendation on that for June 10th. I believe it will be reflected in next
9 week's upcoming agenda so people know that that will be out there. And then I appreciate very much the
10 -- there are a number of policy shifts that were contained in the Executive's recommended budget. And I
11 think to Mr. Leventhal's point, you're right; the numbers were not significant. I think we have a number of
12 boards of commissions, but I think to be fair we wanted to make sure we at least gave people the airing of
13 changing that policy, not just moving numbers around. So I appreciate the Chair's perspective on that. I
14 think it's important for us to give people that. And also the maintenance of apparatus; there is very little
15 here. We're going to have to come back and address that. We can't very well spend \$32 million on new
16 apparatus, which the Council did, which was a good investment, and then not take care of that apparatus.
17 It gets us right back to the situation that required us to spend \$32 million on apparatus that we had to do
18 because everything was aging and falling apart. So with that I thank you very much Mr. Chairman.

19
20 Vice President Andrews,
21 Thank you. And Councilmember Elrich has his light on too.

22
23 Councilmember Elrich,
24 I just wanted to make sure, Mike, that you didn't take my comments as either not appreciative of the work
25 that's been done because I do appreciate the increased level of funding and the addressing of the need
26 for the fire stations, which frankly should have been built a long time ago. We've had these discussions
27 before about infrastructure and when it needs to come online, and this is a classic example of when
28 infrastructure wasn't put in place when it should have been put in place. And I'm sure the Chief would
29 agree that it should have been put in place earlier. And likewise on the up-county/down-county, I don't
30 raise this at all as an objection to providing the resources in the up-county. If that were the case we could
31 have just as easily moved to not open a station rather than add the recruits and add the personnel. I think
32 absolutely that the up-county should get every firefighter and paramedic that they need to staff and
33 adequately operate the stations. I just don't want to do it on the cheap by taking things away from existing
34 stations. And so I think the best way to avoid an up-county/down-county dichotomy is to deal with the
35 mess we're in and figure out how we're going to fund it rather than figuring out who we can pull something
36 from in order to try to provide service some place else. So I will always be fully supportive of dealing with
37 this comprehensively, not parochially.

38
39 President Knapp,
40 No, and I appreciate your remarks. I wasn't -- I think we need to be mindful of the fact that people will look
41 to us sometimes through the conversation, and if we end up saying those kinds of things sometimes
42 people will take that and say well this is what's happening. And I think we are working as a Council to try
43 and address that issue. And so I just want to make sure that we get that message out there that we're
44 working as comprehensively as we possibly can with the Chief to get that out there. That no one is trying
45 to make any decisions that set up that dynamic, and least of all the Council in that respect.

46
47 Vice President Andrews,
48 Thank you, everybody. I do want to make one last comment. And this is not an item that was voted on in
49 the Public Safety Committee. It will be taken up in the Management and Fiscal Policy Committee, and
50 that is the impact of the negotiated agreements that have come over. The fiscal impact of the agreement
51 that was negotiated between the Executive Branch and the career firefighters is on circle 31. And the
52 impact in FY09 would be 4.2 million, in FY10 an additional 10.9 million, and in FY11 an additional 19.4
53 million. I think everyone is aware that I believe that we need to scale back projected pay increases in



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1 order to maintain an affordable and sustainable level. The impact of these would be a 28% increase over
2 three years if approved as proposed. And so I wanted to bring that to the attention of my colleagues
3 because it is a driving force in the budget and one that will be before us in many other respects with other
4 departments as well. And I see I've generated a light. Councilmember Leventhal.

5
6 Councilmember Leventhal,
7 Chief Carr, do you have the information here today, the three brave guys who were hospitalized after
8 Friday's event in Twinbrook; can you tell us what salary do they make? Do you have that information?

9
10 Chief Carr,
11 I don't. Just generally, one is less than a year on the job so he's at the bottom, probably in the 35-range.

12
13 Councilmember Leventhal,
14 Making about \$35,000.

15
16 Chief Carr,
17 About 35,000. Probably the second one is an 8-year guy; he's probably maybe 40, 41 maybe. And the
18 Captain who was in charge of the crew is probably in the 90,000 range, somewhere in there.

19
20 Councilmember Leventhal,
21 Okay. That's very helpful to get that on the record. Thank you very much.

22
23 Vice President Andrews,
24 All right, thank you everybody. All right, we're going to move on to the next item, which is the Department
25 of Liquor Control, which includes the Board of License Commissioners. And then after that, the Police
26 Department.

27
28 President Knapp,
29 We may go a little longer than our scheduled 11:30 -- just so people know.

30
31 Vice President Andrews,
32 The Health and Human Services Committee was scheduled to meet at 11:30, or when we're done. It will
33 be clearly when we're done. Good morning everybody. Let's start by having everyone introduce
34 themselves for folks listening in or watching on television.

35
36 George Griffin,
37 Thank you, Mr. Chairman. I'm George Griffin, Director of the Department of Liquor Control. And we have
38 our three Division Chiefs here. I'll let them introduce themselves.

39
40 Kathie Durbin,
41 Good Morning. Kathie Durbin, Division Chief for Licensure, Regulation and Education.

42
43 Gus Montes de Oca,
44 Gus Montes de Oca, Division Chief of Operations.

45
46 Sunil Pandya,
47 Sunil Pandya, Division Chief of Finance Administration.

48
49 Alex Espinosa,
50 Alex Espinosa, Operating Budget Coordinator.

51
52 Alison Dollar,
53 Alison Dollar, OMB.



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1
2 Vice President Andrews,
3 Okay, thank you all. May I just Justina Ferber, who is our Legislative Analyst, if she has any opening
4 comments about her package.
5

6 Justina Ferber,
7 No,
8

9 Vice President Andrews,
10 She's shaking her head no. Okay. All right. Director Griffin, would you like to comment?
11

12 George Griffin,
13 Thank you, Mr. Chairman. Just by way of introduction I'll repeat to remind everyone Montgomery County
14 is one of four Maryland counties, in addition to 18 states, that operates as a controlled jurisdiction, which
15 means that we more directly control the sale and distribution of alcoholic beverages within our borders,
16 and that represents over 25% of the U.S. population. We have a very productive work session with the
17 Public Safety Committee a couple of weeks ago, and Councilmember Trachtenberg sat in on that as well.
18 I don't know if you want to go through the packet or you just want me to introductory -- .
19

20 Vice President Andrews,
21 Why don't you highlight the big change is the increase in the amount that's projected to be transferred of
22 about 30 million, which is a very substantial increase, and some of that's a one-time change. Why don't
23 you detail that and how you reach it.
24

25 George Griffin,
26 The highlight of this budget is, I think, is the significant increase in the contribution to the General Fund.
27 On the expenditure side we are doing everything possible to hold the line. You'll note that the liquor fund
28 expenditures under this budget will increase by less than 1% -- it's a 0.7% increase in expenditures. And
29 that is -- even though we know that our personnel costs are going to increase approximately 7% along
30 with everyone else in the County. So that's going to require some significant work on our part to keep our
31 expenditures flat. The revenues that you see on the other side of the ledger are going to increase just
32 over 7%, which would result in a one-time transfer to the General Fund of \$30 million, which is \$7 million
33 more than it did this year -- 23 million. Now how we get to that \$30-million figure is important. And as you
34 mentioned, there are some one-time accounting maneuvers and also one-time opportunities that we can
35 capture that will get us there. And if all the pieces of the plan fall into place, we will make that \$30-million
36 transfer on time. Five million of the \$7 million increase is identified, absent increase sales. Five of it as I
37 said -- 2.6 million comes from the deferral of payments for transportation project bonds. And those
38 transportation projects have been delayed for a year by the state so that no payment is required before
39 June 30th of 2009, so that's 2.6 million we're going to capture there. Another 2.4 million has been
40 achieved through efficiencies, the current year savings plan, modifying the fund balance that we will -- the
41 cash reserve we will keep after June 30, 2009. We're going to go below our traditional level there. And
42 there are some other elements that -- we can get into the details. But that will give us about 2.4 million.
43 So 5 million of it we have identified for a one-time budget savings. The additional \$2.4 million dollars
44 we're going to have to create through operations, and that will be targeted price adjustments, inventory
45 controls, the relocation of some stores that aren't performing as well, and the relocation we expect will
46 generate additional revenue. We have the plan in place and if the pieces of this plan fall in line, we'll
47 make the transfer. The one as we mentioned at the Committee hearing, the one variable that we don't
48 control directly is, of course, the economy. And unlike other county agencies, I mean, we can control our
49 expenditure line, but the bottom line in the final analysis this is a business operation. And we generate
50 revenue by selling product to the public either wholesale or retail. And the amount of revenue we can
51 generate through the sale is dependent in some part on what the marketplace is willing to absorb and
52 what the customers want to buy.
53



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1 Vice President Andrews,

2 And let me say that I've had the chance over the last few years to work with Director Griffin. I and I think
3 the Committee -- I speak for the Committee, has been very impressed with his leadership and the
4 changes that have been made to improve customer service, to improve efficiency in the department. I
5 think a lot has been done to strengthen it. And he has been very able to deliver on what has been
6 projected, which is one of the reasons why the Committee accepted -- although frankly on this budget we
7 are in an advisory role, unlike other budgets, because the State Attorney General opinion has indicated
8 that the County Executive really has sole authority over this budget in this County. But we believe that the
9 Director has done a good job and will do everything possible to meet that target. We have a couple lights.
10 And I'll mention that a couple of my colleagues, Councilmember Floreen and Councilmember
11 Trachtenberg, have both been very interested in the Sunday sale issue, which may be implemented as a
12 pilot program. It is difficult to project whether there would actually be substantial significant revenues or at
13 least revenues that would add to what could be transferred, because the goal for the revenue transfer is
14 ambitious already. And we don't know how much additional revenues would be produced over costs by
15 having stores open on Sunday hours. One sure change is that it would be more convenient for our
16 residents. And there's a real benefit there. But it is unclear how much more we could count on certainly in
17 revenues for -- if that were to be done. But that will be decided by the County Executive. Let me go to the
18 lights. We've got Councilmember Berliner, then Councilmember Leventhal, then Councilmember
19 Trachtenberg. All right, then President Knapp. Councilmember Berliner?

20
21 Councilmember Berliner,

22 Thank you, Vice President and Committee Chair. I wanted to raise three issues with the Director. I've
23 seen the memo from my colleague, Councilmember Floreen. I've seen the work that my colleague,
24 Councilmember Trachtenberg, has had with respect to the Sunday sales. I want you to know I find it very
25 troublesome. I would not put myself in the camp of somebody who believes that we ought to exploit the
26 Sunday opportunities. I believe it's a matter that ought to be looked at very carefully. I believe that the
27 Committee quite frankly ought to have a separate hearing to consider it. I think it's a big deal. It's a big
28 deal in terms of public drunkenness. It's a big deal in terms of -- I get the revenue picture. It's a big deal in
29 terms of competition with our retail community. It's a moral issue. It is a -- there's a lot of things tied up
30 into this. And I would ask the County Executive to be very careful and deliberative with respect to this,
31 and ask my colleague to consider the possibility of having a hearing in which this issue is the sole focus
32 of the hearing, in which the public could come and present testimony. Because I think it is something that
33 needs to be done in a very careful manner, if at all. So I just share that. I understand that it's our
34 jurisdiction. I understand that that's the case. But I do think that we should provide an opportunity for
35 people to express their views to the extent to which the County Executive has not done so in a public
36 forum. I think it's a big deal. And I'm not comfortable with it. And that's my own personal view. I think
37 you're going to see a lot more public drunkenness with respect to it than we see today. Sunday is a day
38 when people, you know, off work and can enjoy life in different ways. So I don't get that it's a net-positive
39 from a public health perspective. Anyway, so I'm troubled by it; that's number one. Number two, I've had
40 ongoing conversations with your folks and with yourself with respect to the issues of restaurants, and the
41 extent to which there have been, as you recall, many stories that have been printed publicly in the press
42 with respect to our inability to necessarily have different restaurants -- not that we don't have fine
43 restaurants in Montgomery County, we certainly do. But different restaurants have said that they were
44 unwilling to come into Montgomery County because they found that they way in which to have the wine
45 lists on a timely manner was too problematic. What progress have you made with respect to that?

46
47 George Griffin,

48 Well, I think if you talked to the restaurants they'd say we have made some progress. I know our out-of-
49 stock on special-order wines has declined significantly over the past year. We have gone -- we have
50 modified our delivery process in terms of notifying the licensee in advance about making our delivery that
51 some of the items are not in stock. To make a long story short, when the restaurant would place an order
52 with us, for special order items, we contact the supplier, place the order, and when we receive the order,
53 we turn around and usually within a day we'll deliver that to the licensee. In the past the problem has



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1 been that the supplier is not able to give us all of the product. And many times it's the sales
2 representative of that supplier who has been in the restaurant and placed the order and taken the order,
3 and said oh yes we can get it for you at a certain time. We place the order and they give us some of the
4 product; they don't have all of the product. And in the past, and shame on us, the licensee would not
5 know that until the delivery was made, and they got some of it but they didn't get everything. And so then
6 we had to get -- now what we're doing, we're calling the licensee in advance saying the order just came in
7 from Baltimore and we've got 80 of your cases but they didn't deliver 20; do you want us to reorder it or
8 do you want something else. At least they know it in advance, and they know where the problem lies. So I
9 think that has helped somewhat. And of course we've maintained our policy of keeping the mark-up on
10 special orders below that -- we've reduced it as a pilot program, we've kept that in place. That has
11 resulted in some additional sales of special order wines. So I think the restaurants are taking advantage
12 of the fact that they can get special-order products at a somewhat reduced price from what they
13 previously could. So that -- it hasn't generated a lot of additional sales, but it has somewhat. So they are
14 getting some more special-order product. And again, that issue of being compared to other areas in the
15 region, particularly with regards to restaurants, the fairest comparison, I think, is when we are compared
16 to other jurisdictions in the state of Maryland, because we operate all the liquor laws, as you all know, in
17 Maryland are State Laws. And in terms of sales and distribution, pricing, acquisition policies and so forth,
18 we operate under the Maryland law. And they have different regulations in the District of Columbia and
19 Virginia. And so I think in terms of restaurants, if you talk to restaurants about their experience in
20 Montgomery County and compared to other jurisdictions in Maryland, I think we compare, you know, fairly
21 favorably. But we -- it's the biggest single issue confronting us. I mean, we know that. I mean taking care
22 of our hospitality industry and making sure that the restaurants are pleased with the operation; that's our -
23 - the biggest challenge that we have, and that's our biggest goal. We've always said if the public and the
24 licensees are satisfied with the system, then that eliminates the call for privatization, if our residents and
25 our customers are happy. We have changed the way we survey our licensees. In the past we surveyed
26 our licensees, at the same time we polled our retail customers, which was during the holidays, the busiest
27 time of the year. And that's a great time to talk to your retail customers because you get -- November and
28 December is when you get most of them. And when we had a great return rate on retail surveys and retail
29 customers. That's not a good time to talk to your licensees because that's their busiest time of the year.
30 And so now they've just received their licenses. License renewals all took place May 1. So now we're
31 going to use an independent third-party to survey our licensees, so hopefully we'll get a bigger return rate,
32 bigger response rate from the licensees, and they will feel willing to be forthcoming and take the time to
33 fill out the survey and give us some good feedback knowing that it's going to a third-party, and that we'll
34 just get the results of it. So I think that for this year we'll finally get a really good baseline from the
35 licensees on how we're doing and how things have improved over the last year.

36
37 Councilmember Berliner,

38 And, Director Griffin, I appreciate that you believe you're making progress in this regard. If a restaurateur
39 were sitting here and were to give voice to what he perceives to be the greatest weakness in the
40 operation today, what would he be saying -- he or she?

41
42 George Griffin,

43 Well it would probably depend on the restaurant and the type. I don't know. What would you suggest,
44 Gus. I mean, I think I would probably say the availability of special-order products.

45
46 Councilmember Berliner,

47 Okay.

48
49 George Griffin,

50 More so than the pricing. What we get back is, well, again there's a difference of opinion. And I know Mr.
51 Leventhal has been very active with a lot of restaurant owners and he gets the feedback as well. But
52 more than -- it's reliability of having the product available when they want it more so than pricing is what I
53 hear.



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Councilmember Berliner,

That's consistent with what I hear as well. We will be interested in how you make progress with respect those core sets of issues, because I think you're right. I think that is where the biggest push back comes for privatization and to the extent to which we believe that this is a public benefit from a health perspective as well as a revenue perspective. That piece just has to be addressed.

George Griffin,

And we'll share the results of this survey with the Council when it comes back.

Councilmember Berliner,

Finally, let me ask you in that same vein with respect to privatization, part of the conversation has been from the retail community. Why are we competing with the County for beer sales? And we had had this discussion before, and in my conversation with some of your colleagues it was suggested to me that you had at least considered the possibility of not competing with the private sector with respect to beer sales. Can you tell me where you stand in your analysis of that issue and what your thoughts are?

George Griffin,

Yes, the -- of course, we don't sell cold beer. And then a lot of other products we don't sell too. Legally we can sell ice, and we don't do that. And we don't sell paper products, and so forth.

Councilmember Berliner,

But now you'll be able to sell corkscrews.

George Griffin,

We can finally sell corkscrews and margarita mix, which is again another -- .

Councilmember Berliner,

That's good. Another big public policy breakthrough.

George Griffin,

Revenue generation -- and again it's not for revenue generation, but it's for customer service. And thanks for bringing that up; that was a success we had in Annapolis this year. Most people didn't realize that we were prohibited -- we were required under State Law to sell spirits and wine, but we were prohibited under the State Law from selling corkscrews. But that's been changed. So now, starting June 1, we can sell corkscrews. In terms of beer, we do not emphasize the sale of beer in our county stores. As I say, we don't sell it cold. We only sell domestic beer or traditional beers by the case. The only six packs we sell are the microbrews and hard-to-find beers. And it represents less than 10% of our total sales. In terms of eliminating it entirely, we're trying to strike that balance where we can also be responsive to the customer. And there are times that customers will come in and there are obscure -- relatively obscure or specialty beers that they don't find other places; they say, can you get this for me; just as we do with wine. We'll allow any member of the public to walk into one of our stores and say can you special order a case for me; we'll get it for them and hold it. And so we have found that they -- we don't want to eliminate totally the opportunity to sell beer retail because we can use it for those specialty items when customers come in and say can you get this for me.

Councilmember Berliner,

But there's a difference between offering a service to provide specialty orders and having six-packs generally.

George Griffin,

But we never -- not only do we not sell cold beer, we never put beer on sale. Again, not to compete with the private sector. But it's a convenience for the customer. Now, in terms -- again, that's a source of



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1 tension. That's a balance we have to try and strike the appropriate balance in terms of being the
2 wholesaler to the licensee and not unfairly competing with them at the retail level. Where we -- obviously
3 we don't sell cold beer and they don't sell distilled spirits. Where there's really the most overlap is in the
4 area of wine. But as, you know, we just said recently there's -- even with all -- there are 900 licensees in
5 the County and we have 25 retail stores, and even with both -- all of us selling wine, there are still wines
6 out there that people would like to get and don't. I mean there's almost an infinite amount of wine and so
7 there's -- I don't think we're competing unfairly with the licensees at the retail sector in that regard.

8
9 Councilmember Berliner,

10 And I saw where my colleague had suggested to you previously a -- not a super store, but a store that
11 perhaps could offer a greater range of wines that I -- my own experience of going to county liquor stores,
12 which I frequent too frequently, I would say to you that I don't find that the offering is good as I see in
13 other stores, and I believe that you would be better served by a broader range of offerings. And I certainly
14 agree with my colleague that Bethesda would be one of those communities that could support such a
15 venture. And where are you in your analysis of that suggestion of my colleague?

16
17 George Griffin,

18 We're negotiating -- we're currently actively negotiating two leases for sites that have been identified, one
19 of which is in Bethesda, for larger retail stores that could act as flagship stores. And we will either relocate
20 a poor performing store to that location -- there may be some overlap, I mean, depending on when that
21 new store opens, we may keep the existing store operating through the holidays to make a transition
22 period. But we hope very soon to announce that we have two locations; one in the upper
23 Gaithersburg/Darnestown area and one in Bethesda for those two stores. So we are pursuing that.

24
25 Councilmember Berliner,

26 That's a ribbon cutting that I'd be pleased to join you for.

27
28 Vice President Andrews,

29 In a hard-fought contest, Councilmember Berliner was elected our designated sampler.

30
31 Councilmember Trachtenberg,

32 He's going to have competition.

33
34 George Griffin,

35 Seven people came in second.

36
37 Councilmember Floreen,

38 Not on Sunday.

39
40 Councilmember Berliner,

41 Not on Sunday.

42
43 Vice President Andrews,

44 Except on Sunday.

45
46 Councilmember Trachtenberg,

47 Not if I have anything to say about it.

48
49 Vice President Andrews,

50 All right, Councilmember Leventhal.

51
52 Councilmember Leventhal,

53 Yeah, let me report, I'm also doing my part to keep your revenues up.



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George Griffin,

Okay, well, if you could hold off and do a lot after July 1, I'd really appreciate it.

Councilmember Leventhal,

But this is a very important exchange, and I too hear it from a lot of restaurateurs, and maybe some of the same ones Roger is in contact with. And what I recently heard was -- and I'm sorry, I'm not going to be able to comply with comparing within the State of Maryland because the restaurateurs I'm talking to are doing business in the District of Columbia and in Maryland. And what they say they get from the individual distributors that they do business with in D.C. is they get volume discounts. And so it is a price issue. Yes, the availability issue there's a complaint about it, but a particular restaurateur who buys a whole lot of one wine or one brand of tequila or one brand of gin enters into a special relationship with the supplier; and we don't do that. We have uniform pricing here. And so they find they actually do get price breaks on their outlets in D.C. for those particular lines where they purchase a lot of volume. So I share that with you only so that as you're thinking about greater flexibility and greater consumer responsiveness, if there is a more entrepreneurial approach that can be taken there, that's the complaint I've heard in addition to the availability. Availability is true in the Wild West also. I mean, if you, you know, you can't always get -- if you go out to dinner in D.C. and [inaudible] will say here's our wine list, but we don't have this tonight and we don't have that tonight. That happens anywhere. Of course, when it happens here people say, gosh darn Montgomery County. And when it happens there they just shrug their shoulders and say, well our distributor didn't have it. But it's this other issue of entering into these, you know, ongoing business relationships and volume discounts that I've heard more recently.

George Griffin,

Well that's an excellent point. Now Maryland does allow for quantity discounts; however, they've got to be -- you have to offer the same quantity discounts to all licensees equally, and the amount -- and they file them with the state. Maryland was a post-and-hold state where you had to -- every -- all the wholesales, including the county, would publish their price for a given product and they'd have to hold that price for a month. That was overturned in court and it's under appeal now. But Maryland still does allow for quantity discounts but they're under -- the discount is published and is for specific break points, you know, maybe 25 cases. But we do pass that along.

Councilmember Leventhal,

[Inaudible] A lot of bureaucracy.

George Griffin,

But you're right. There are -- the quantity discounts are very fluid in the district.

Councilmember Leventhal,

Okay. What I wanted to ask you -- I'm trying to get insight into how these decisions get made and, really, once again, I'm going to have to pick on Mr. Espinosa. I gave him a hard time the other day, and here we are back again. Did these assumptions in putting together the Executive's budget -- were they run past you or did they come to you and say we need you to hit this target, and did you say yes we can do it. I mean -- .

George Griffin,

It wasn't that quick of a decision.

Councilmember Leventhal,

29% -- what is the increase in -- I'm sorry -- 39% increase in revenue. I mean, like I say, I'm doing my part. I'm trying to play -- I'm a patriotic citizen of Montgomery County, but, you know, what are we asking the public to deliver here, and is this realistic?



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1 Council Vice President Andrews,

2 Well that is a big increase, but most -- half of it, if not two-thirds of it, is the one-time changes.

3
4 Councilmember Leventhal,
5 Right.

6
7 George Griffin,

8 The 5 million we've identified. We're going to have to come up with \$2.4 million in [inaudible].

9
10 Councilmember Leventhal,

11 But my question to you is in putting the budget together, did you have early and sufficient input to say
12 yes, boss, we think we can do this?

13
14 George Griffin,

15 Yes. We worked for months with OMB on this. Now, does this represent a challenge? Absolutely. It's a
16 challenging year. And all of the departments in the County have been asked -- have been challenged and
17 have to participate in what is this serious budget situation. It does represent a significant challenge for us.
18 But the -- if we -- we've identified -- if we can maintain our gross profit margin -- 28%, which is one of our
19 goals, and we're close. We're at about 27.4% now. If we can maintain for the next -- for the coming year
20 for the 12 months at a 28% profit margin, we'll hit that number.

21
22 Councilmember Leventhal,

23 Okay, last question from me. You mentioned the economy is bad; what happens to your sales in
24 economic downturn? Do you notice that cheaper brands sell more? People are feeling the pain, they're
25 drinking more but they're drinking cheaper? The high-end brand -- I'm just guessing. The high-end brands
26 sell less? What do you actually find?

27
28 George Griffin,

29 No, you're very perceptive. They don't drink more, necessarily, but there's a good long history nationally
30 of where they track this, and the Wall Street analyst track this when they rate drinks companies and so
31 forth. Alcohol consumption tracks the economy, absolutely, because it's discretionary spending. It's
32 available disposable income. And when gas is \$4 a gallon instead of \$2 a gallon, you go out to eat less
33 frequently. It's an easy thing to come back on, and so those on-sale sales are down. And the other thing
34 that we are concerned about and we're watching is that at the retail level does the customer come in, you
35 know, do they have to buy a \$30 bottle of vodka now when there's a perfectly good \$15 bottle there. So
36 we do the same amount of work and less ring-up at the register. So there's -- without getting in trouble
37 with some of my supplier friends and without mentioning labels, you know, you do find that. It does track
38 the economy.

39
40 Councilmember Leventhal,
41 Thank you.

42
43 Vice President Andrews,

44 All right, Councilmember Trachtenberg, and then Councilmember Floreen.

45
46 Councilmember Trachtenberg,

47 Thank you, Vice President Andrews. We had some of these same conversations when I had the pleasure
48 of visiting a Public Safety work session, in which we discussed this very topic. And certainly the potential
49 around Sunday sales is something that I had had an interest in for a number of reasons. And when I
50 attended the work session, I raised a certain number of concerns. And the first one I raised, which I know
51 has been stated here this morning, is the fact that if we were to do a Sunday sell option undoubtedly that
52 would impact on the sales that we had Saturday and the rest of the business week. So whatever receipts
53 we could realize on Sunday would not necessarily be that significant, and I think that's an important thing



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1 to consider. The issue though that was the main focus of my remarks at the work session, and will be
2 here this morning, is the fact that I do think there is very much a public health impact of implementing this
3 kind of policy. And I note that in the packet for today's conversation there is a copy of an article that was
4 published in the American Journal of Public Health, which I did bring to the work session. And while this
5 might be the worst-case scenario, and it's indeed a long-term study that was done over a 10-year period,
6 I know from having looked at other research that's been done that when you do see Sunday sales, there's
7 an undeniable increase in alcohol-related crashes as well as fatalities. Now the debate is really just on
8 how significant that increase is. And I brought the article to the work session to make this set of remarks
9 and offer a caution to my colleagues. And in conversation within that Committee, there was discussion, A,
10 at implementing such a policy on a pilot basis; and in that time period say of a few years, to monitor the
11 impact of the sales themselves to see how negative the experience might be. It was at that time that I
12 suggested that one of the ways other jurisdictions have handled is to actually take some of the Sunday
13 sale receipts and apply those receipts for comprehensive addiction services, treatment dollars; that's one
14 way jurisdictions have handled this. The other than I thought of after we had the work session discussion
15 is really also providing additional funding actually to the department around their educational outreach.
16 Because I do know the Department of Liquor Control under Mr. Griffin's excellent leadership participates
17 quite routinely in those outreach opportunities here in the community. And I've had the pleasure of
18 speaking at one or two of them that I know George has been at. And they've been specifically targeted at
19 underage drinking, at kids encouraging them not to partake of alcohol. So I just wanted to state quite
20 publicly that I, like my colleague, Councilmember Berliner, have concerns about this, and I have a
21 pragmatic response to the option, which is that if it is done it simply be done so that we actually monitor
22 the impact, and we also make available more resources to the community so that we do have a
23 comprehensive response to problems that indeed can come about by the change in policy. And I would
24 note that that was the Committee recommendation as well from the Public Safety Committee.

25
26 Vice President Andrews,

27 Was to look at all the aspects of the issue, and I know that's the way you're proceeding, and your advice
28 to the Executive.

29
30 George Griffin,

31 After this public hearing, we will meet with the Executive and take back all the suggestions. We have not
32 had a chance to really sit down with him and go over any detail this issue of Sunday sales since it's been
33 raised. But we're aware of your recommendation that it be a pilot program that we monitor what might
34 happen, along with the Police Department and so forth. And various states have had varying experiences
35 from Sunday sales, I mean, in terms of revenue generation; because you do bar -- you are going to
36 cannibalize some sales probably from Saturday and Monday. It's just a question of how much. And you're
37 additional expenditures to be open on Sunday are fairly marginal overall, but it's staffing for the most part.
38 But you want to see how -- is it worth it. The New Mexico study is troubling, and that's one that really
39 require -- now the situation in New Mexico is significantly different than here in some ways, but it's -- right,
40 I mean, if we generate a certain amount of income and we -- the public cost associated with abuse
41 exceeds that amount, we've taken a step back.

42
43 Vice President Andrews,

44 Thank you. Councilmember Floreen -- and there is a memo from Councilmember Floreen in the packet as
45 well about the Sunday sale issue.

46
47 Councilmember Floreen,

48 Yeah. Well, thank you. I certainly in my quest to find sources of revenue, it seems useful to look at these
49 kinds of things and make sure you compare apples to apples when looking at these issues. There
50 certainly -- you want to respect the data but we don't have -- I don't think we have any drive-up liquor
51 windows in the county, and the same kinds of driving issues that may affect unfortunate statistics
52 elsewhere. So certainly we'd want you to worry about all those things as you go forward. And I think the
53 Committee's recommendation is the right one. I wanted to say though, with respect to Mr. Leventhal's



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1 point, which I certainly share, I will direct Mr. Leventhal's attention to the bottom of page 2 in the packet.
2 That's your answer, Mr. Leventhal. You've been asking the County Executive about the state participation
3 project. And the approach of the County Executive at this point [inaudible] to using the revenues, at least
4 committing a portion of that to floating the bonds for some of our very significant congestion programs.
5 And at least this year we're not floating those bonds. That's \$2.5 million. And so hopefully we will get to a
6 point where we can have the right allocation of resources both to fund the General Fund and embark
7 upon some of these other initiatives. But that's a big chunk of the additional revenue for this year. Thanks.

8
9 Vice President Andrews,
10 Okay. Councilmember Ervin.

11
12 Councilmember Ervin,
13 I just wanted to make a quick comment about the data coming back from the state of New Mexico. I'm
14 actually from New Mexico and I travel there quite frequently. And one of the things that concern me about
15 Sunday liquor sales here is that in the state of New Mexico it has a very large Native American
16 population, and there is a big issue around Native Americans and alcohol. But the same could be said for
17 Montgomery County. My concern is that have you looked at the regional impacts of Sunday liquor sales
18 depending on where in the County certain individuals might live. For example, Councilmember Leventhal
19 and I have been talking Sligo Creek Park and some complaints about the volume of bottles and cans
20 being found more and more, you know, all over the park. Right now people can go buy cold beer on
21 Sunday in Safeway -- what's the -- .

22
23 Councilmember Leventhal,
24 Bestway.

25
26 Councilmember Ervin,
27 Bestway or Giant.

28
29 Councilmember Leventhal,
30 There's Long Branch -- Long Branch Park was the [inaudible].

31
32 Councilmember Ervin,
33 Right, Long Branch Park. So anyway, I have some issues about where in the County there might be more
34 issues of public inebriation and those kinds of things. And I don't think it's worth what we might see to
35 save a very, you know, small -- in my opinion, small amount of money by having -- open this up to
36 Sunday liquor sales. I think it's a recipe for disaster in the same way that I also believe gambling. And if
37 you look at the data from coming out of the state of New Mexico; every since there's been gambling now,
38 there are a whole lot of issues that have been impacting, included the amount of alcohol being sold and
39 the issues of Native Americans and their relationship to alcohol.

40
41 George Griffin,
42 No, it's -- that's going to forefront of the discussion. I mean, again, whether it has a negative impact on
43 the public. And for me the issue is more customer service rather than revenue generation. Now there are
44 -- no -- I would say though in terms of Montgomery County to reassure some of our residents, we have
45 900 licensed businesses now, all of which are open on Sunday today. And we have a total of 25 stores. In
46 contrast in New Mexico where they had no alcohol sales at all Sunday and they went from 0 to 60
47 immediately.

48
49 Councilmember Berliner,
50 You're the only guys that sell hard liquor?

51
52 George Griffin,



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1 Correct. But they didn't sell beer, wine, liquor, nothing in New Mexico on Sundays, and then they went --
2 and they have heavy outlet density in New Mexico. Now our licensees do sell distilled spirits on premise
3 on Sundays now but not all [inaudible]. But these are exactly the right issues to be raising and to factor in
4 before we make a decision.
5

6 Vice President Andrews,

7 Sure. I guess the message is perceived with caution. Although I think one would have to also in arguing
8 against Sunday sales, point out to some degree why it would be different than having sales on Saturday,
9 which is also, you know, a day where people tend to engage in a lot of parties. So I'm not sure I see a
10 difference in the impact of Sunday sales versus having them on Saturday, where we already have them.
11 But I think you're hearing a lot of different views on this and proceeding with caution is certainly
12 appropriate. I wanted to -- I'm sorry, now I'm going to get to Council President Knapp, now. Go ahead.
13

14 President Knapp,

15 First I just wanted to announce signs are posted throughout the building that at 1:30 is when the HHS
16 Committee will meet. I hadn't made that public announcement here, but I think everyone else is aware. I
17 just had some questions on the transfer itself. You talked about having -- currently kind of having our
18 gross margin -- gross operating margin at 27.4%.
19

20 George Griffin,

21 That's where we're currently, right.
22

23 President Knapp,

24 How long have you been at the point, or when did we get at that point?
25

26 George Griffin,

27 Let me tell you exactly.
28

29 Sunil Pandya,

30 Our goal is at 28%.
31

32 President Knapp,

33 Right.
34

35 Sunil Pandya,

36 And we have bounced around that margin for the last four to five years.
37

38 President Knapp,

39 Have you been above that margin?
40

41 Sunil Pandya,

42 About two years ago.
43

44 President Knapp,

45 For an entire year you were?
46

47 Sunil Pandya,

48 Yes.
49

50 President Knapp,

51 Okay.
52

53 George Griffin,



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1 We're about 27.3 or 27.4 now.

2
3 President Knapp,

4 And what's required to get above that 27.3 or 27.4%? Where do you make changes? Do you become
5 more efficient? Do you sell more volume? What gets you over that hurdle?

6
7 Sunil Pandya,

8 Well, actually that's a good question. The greater increase of the margins is adding increased sales or
9 you reduce in inventory levels.

10
11 President Knapp,

12 Right.

13
14 Sunil Pandya,

15 Now reducing inventory levels directly ties into, you know, the other issue raised in supporting the special
16 orders with restaurants and the amount of risk you want to take in carrying that kind of inventory, which,
17 you know, yes we absolutely want to provide customer service, but there's a balance between levels of
18 inventory impact our margins. There's a risk involved.

19
20 President Knapp,

21 So to get to that 28% margin you're going to have -- well, one of the ways would be to have a quicker
22 turnover in your inventory.

23
24 Sunil Pandya,

25 Absolutely.

26
27 President Knapp,

28 So you're not retaining all that on your books.

29
30 Sunil Pandya,

31 And not retaining the risk.

32
33 George Griffin,

34 We don't want to reduce the available inventory of the items that are selling. But so it's a target inventory
35 control management. And what we're looking at is the items that we have. And I think we talked about this
36 in the Committee. The items that aren't moving and are sitting in there clogging -- things nobody is
37 buying, let's blow those out. And then the other side is on the targeted pricing. And there are some areas
38 we think we can -- we believe we can successfully marginally increase prices in areas that will not
39 negatively affect sales. And that's primarily the spirits that are sold on premise to the restaurants. So it
40 won't show up at the retail shelf, but there's a significant impact to the licensee -- to the [inaudible]
41 premise licensees on the price of wine, for instance. But if you're buying a liter of spirits that's going to be
42 served as mixed drinks, they could absorb a marginal increase on that item much better.

43
44 President Knapp,

45 Okay. And so throughout the course of a year, when do you -- how do you make -- I mean, when do you
46 have enough data that you can actually see where your -- what your margins are and be able to make
47 adjustments if you're not seeing what you think you're going to see?

48
49 Sunil Pandya,

50 We prepare monthly statements. So every month we know exactly where we stand, and we try to do the
51 best we can with the inventory levels to tweak it.

52
53 President Knapp,



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1 And when does the liquor -- let me -- so do you -- and you also indicated that this is -- in order to do this --
2 a transfer of this magnitude, this is a one-time deal?

3
4 George Griffin,

5 Yes, because we -- there's a 5 million of this we could never recapture again, yes.

6
7 President Knapp,

8 Right. Okay.

9
10 George Griffin,

11 And, in fact, the projected transfer the following year is back down to historic levels.

12
13 President Knapp,

14 It's back down to the 22 million 23 [inaudible].

15
16 George Griffin,

17 Yeah.

18
19 President Knapp,

20 Okay. And so when does the transfer take place? When do we usually -- September timeframe?

21
22 Sunil Pandya,

23 No, we actually make a quarterly transfer. So if you approve 30 million ever quarter we transfer one-
24 fourth.

25
26 President Knapp,

27 What if your margins are off? What if you're not -- ?

28
29 Sunil Pandya,

30 We then work with OMB and there's an executive order process, which can be done hopefully at the end
31 of the last quarter, which we will then -- .

32
33 President Knapp,

34 So you do a true-up at the end of the -- effectively. So you'd make your first three quarterly transfers -- .

35
36 Sunil Pandya,

37 And then the last quarter would have to be adjusted.

38
39 President Knapp,

40 So we'll know how we done going into the next budget year?

41
42 George Griffin,

43 Correct.

44
45 President Knapp,

46 Whether or not we've -- because if you can't make the transfer then we'll have to eat that someplace
47 along the way?

48
49 George Griffin,

50 And, in fact, we will bring in more than half of our revenue the first half of the fiscal year because of the
51 way the holiday sales are. So at the mid point we have a pretty good idea of where we're going.

52
53 President Knapp,



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1 All right. And I guess because it is an executive decision as to whether or not to do Sunday sales, I would
2 -- the public input piece. I suppose there could be a role for the Council to have a hearing. I'm not sure
3 procedurally what the mechanism would be. But I think I'm not sure it's appropriate for us to do that. But I
4 think what you've heard very clearly here is the Council would like to make sure that if the County
5 Executive chooses to go down that road, because that's what you would need to get those numbers, that
6 we have a very full public hearing process for the public to opine on that issue.

7
8 George Griffin,
9 Very good.

10
11 President Knapp,
12 Thank you.

13
14 Vice President Andrews,
15 Thank you. There's clearly a lot of interest in your department here. And so I think in speaking with the
16 Council President, we'll work on having a full Council work session on the policy aspects to get to --
17 continue to be briefed about what you're doing because there's a lot of interest in the policy in addition to
18 the numbers. Just real quickly, we are way behind but not hopelessly yet. I know that you're looking at
19 opening a couple new stores. There's a retail store customer survey on circle 11 which shows a lot of a
20 satisfaction, but some areas for improvement.

21
22 George Griffin,
23 Yes.

24
25 Vice President Andrews,
26 And then you have an important function, of course, within the department now with the Board of License
27 Commissioners. If you can talk real briefly about the expansion plans on stores and what the Board of
28 License Commissioners is seeing and its inspections. And if you can keep it about two minutes that would
29 be good.

30
31 George Griffin,
32 Okay. Well most immediately on the store expansions, as I say, we are deep in lease negotiations for two
33 additional stores right now. And as soon as that's signed, I'll be able to tell you specifically where they
34 are; but one is in Bethesda and one is in the upper Darnestown area. And we still continue to talk to the
35 developers about getting a store in Clarksburg. So that's what's out there right now. In terms of the Board
36 of License Commissioners, I think it's -- it took us a year to successfully navigate the merging of these
37 agencies, but I think that's been achieved now and it's paying dividends. We, for the first time ever, are
38 actually going to physically visit and inspect 600 licensed businesses this year. That's always been a
39 goal. And frankly I thought it was happening in years past, but as we got into it and looked back, they
40 never really were able to do that. We are coordinating very closely with the Police Department now.
41 We've already hit, what, 468 or something this year. And so we know we're on target. We're going to visit
42 600. The 300 we haven't visited this year will be the first 300 we visit next year. So we, you know, within
43 the 18 months every business will have at least once been inspected for underage sales.

44
45 Vice President Andrews,
46 Are these all alcohol licensees, or are you also -- you're still doing the tobacco inspections as well, right?

47
48 George Griffin,
49 Absolutely. That's what -- I'll let Kathie speak to the tobacco if you want. But we're really -- we're
50 developing a good baseline now to compare in the future years, because we finally are capturing the
51 good data that we need. And we are finding on these -- some of these businesses haven't been tested in
52 years is my assumption. But we're still seeing about an 85% compliance rate so far. So I think it's about



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1 15% failure rate, which is good to know. It's good know that 15% of the folks out there are still not doing it
2 right, and it means that our enforcement efforts are important and needed.

3
4 Vice President Andrews,
5 Right, that's still significant.

6
7 Kathie Durbin,
8 Just to add to that, to expand on it a little bit, those are compliance checks, so those are when the
9 businesses are tested by UV's underage individuals that are trying to purchase. Each business is
10 inspected at least by routine inspections at least twice a year, sometimes three times a year; so all the
11 businesses are visited at least three times a year in most cases. As far as tobacco inspections, we did
12 pick it up again. We lost our one and only tobacco inspector last year. All of our inspectors will be holding
13 -- working the tobacco inspections as well. So we just had a training with the County Attorney's Office and
14 we're moving forward with that. So all of our alcohol inspectors are alcohol/tobacco inspectors; will be
15 doing both jobs.

16
17 Vice President Andrews,
18 Good.

19
20 George Griffin,
21 We have more tobacco inspections than we've ever had now.

22
23 Kathie Durbin,
24 We're just starting that back up again.

25
26 Vice President Andrews,
27 Good. That's good to hear. Councilmember Ervin.

28
29 Councilmember Ervin,
30 Just a quick question on the alcohol inspections. In Wheaton we're getting a lot of calls about public
31 inebriation and the restaurant owners. And they're the same people that keep getting picked up over and
32 over and over again. And so the, you know, I know that some police officers, you know, are having to
33 come every day to the same area picking up the same people. So what are we doing to try to resolve
34 that?

35
36 Kathie Durbin,
37 Yeah, there are a couple things we're doing. And when we created about seven years a business
38 alliance, which we work with the police. We have a state highway grant. This is our second year working
39 it. We're back in Wheaton right now. We're doing a six-month saturation training with the businesses. But
40 part of the issue is on our piece of it is the person might purchase alcohol in the morning when they're not
41 intoxicated, and then they take it out to the public. They purchase it legally, really, you know, they're of
42 age and they don't appear to be intoxicated, and the business sells to them. So we're trying to teach the
43 businesses that not only is it an issue of somebody appears to be intoxicated, if they're like a repeat
44 customer, every day they come in, you're trying to open your door. That's another thing you should look
45 for is maybe somebody is the person that's being called every afternoon for an ambulance or fire-rescue
46 because they're intoxicated in public. So it is a vicious cycle, and many times it's not that kind of
47 stereotypical intoxicated person that you would see in the mornings, or even sitting in a bar and hanging
48 out; it's a person that appears to be perfectly fine purchasing the alcohol. People are drinking so much
49 alcohol these days that BAC levels, the blood alcohol levels are so high that, you know, they don't appear
50 to be intoxicated. They have high tolerance levels. So we're dealing with another animal different than
51 we've ever dealt with before. There are a lot of issues here, and it's got to be a comprehensive program.
52 Our business alliance now includes the treatment folks as well. They're working with us. We have the
53 Cops and Shops programs where we're going into the stores. We have the Extra Eyes programs. And we



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1 have 12 sessions planned -- 12 Extra Eyes. You all are welcome to be part of it. I could send you the
2 schedule. And they started last week. So that's in Wheaton and Silver Spring/Long Branch area, by the
3 way.
4

5 Councilmember Ervin,
6 I knew about the Long Branch area, but for Wheaton this is escalating. And so the public is seeing this as
7 a real public nuisance. And it's going to really begin to affect the business owners in that core area.
8

9 Kathie Durbin,
10 One of the bigger problems really are the promoters that are coming in and just doing events and offering
11 these events to the businesses
12

13 George Griffin,
14 In the licensed establishments.
15

16 Kathie Durbin,
17 in the licensed establishments. And so we're working really to get some type of promoter permit as well
18 so we know who is doing these events, and hold them accountable.
19

20 George Griffin,
21 It's very enticing for a business owner if someone comes in -- particularly if business is a little slow and a
22 promoter comes in and says, I can bring in -- we'll have an event here. I'll handle everything. We can
23 bring in a big crowd. You can make a lot of money. And they advertise in places the owner doesn't even
24 know they're advertising. They in bring in entertainment that might attract people who normally wouldn't
25 be in that establishment. No, it's a problem.
26

27 Vice President Andrews,
28 Okay, I don't see any other questions. Thank you very much.
29

30 George Griffin,
31 Thank you.
32

33 President Knapp,
34 Thank you all very much. And as we change over, we just got an announcement that we're going to move
35 items 4, 5, 6, and 7, to the beginning of tomorrow's agenda. So we'll finish up this morning with the
36 Department of Police. And thank you all very much, to the folks from Liquor Control.
37

38 Vice President Andrews,
39 Okay, welcome everybody. Welcome those from the Police Department who are here with us for this
40 Operating Budget work session. Let's have everybody introduce themselves who is at the table joining us.
41

42 Neal Short,
43 Neal Short, Police Management and Budget.
44

45 Chief Manger,
46 Tom Manger, Police Chief.
47

48 Wayne German,
49 Wayne German, Assistant Chief.
50

51 Alex Espinosa,
52 Alex Espinosa, OMB.
53



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1 Ed Pisen,
2 Ed Pisen, OMB.

3
4 Vice President Andrews,
5 Thank you everybody. And thank you for your patience. I'll turn first to Linda McMillan to see if she has
6 any comments -- overall comments about the budget.

7
8 Linda McMillan,
9 No.

10
11 Vice President Andrews,
12 No, okay. All right. Chief, would you like to make any opening comments?

13
14 Chief Manger,
15 Nope.

16
17 Vice President Andrews,
18 Okay. Well, all right. The Committee is recommending a net change of 1.8 million to the budget that
19 would be put on the reconciliation list. The changes are summarized at the very beginning of the packet
20 on the front page and onto page 2. The Committee recommends restoring the 12-community outreach
21 community policing officers that are assigned to the district stations. That's a cost of 623,000. We were
22 persuaded that these officers perform a critical function in the district stations, working closely with the
23 community to help prevent crime, and to respond to problems, and that they're very valuable and we don't
24 want to see a reduction in that effort. We also felt that it was crucial to restore recruit class to the
25 department for January '09, and not to go down to one class, because if we went down to one class we
26 would lose the number of officers that we currently are authorized to have in the department, we would
27 not keep up with attrition. We lose about an officer -- about four officers a month to attrition, 40 to 50 a
28 year. It varies a little bit, but that is what we have been told. And so roughly we need to bring on that
29 number in order to stay at the same level. This is essentially a same-services budget. It does not include
30 significant new initiatives as we have adopted in the past three years where we added 89 officers and
31 several dozen civilian personnel to implement the Chief's five-year plan to staff up the Police Department
32 in priority areas. In those three years Councilmembers will recall we strengthened the presence in the
33 CBD's, we added a number of canine officers and units, we strengthened robbery investigations, added a
34 traffic unit to the Sixth District, a special assignment team to the Sixth District. We added a lot of patrol
35 officers -- 30 patrol officers last year, and some other targeted areas. And we have followed the order that
36 was suggested by the Police Chief very closely. This is really a holding year, I think it's safe to say, given
37 the economy. We don't want to go back though, and that's the basis for the Committee's
38 recommendations to the Council is to at least stay where we are in terms of services. And that is
39 essentially what this budget would allow us to do. In addition to recommending a recruit class of 20 in
40 January '09 to go with the recruit class of roughly 25 in July, we also recommended a 4% increase in
41 overtime of 441,000 to account for what we think the real number is. The department has done an
42 excellent job in tracking overtime and managing it. And we think it's important to be consistent in
43 providing what is needed to stay at what we have determined is the right level. The Corrections
44 Department has done a very good job in this area as well. And so that is the basis for that
45 recommendation to put on the reconciliation list. We felt that it's important to implement the second Police
46 Community Action Team, which is really a team of officers that can be moved around to help with hot
47 spots. They typically go into a community for a few weeks or a few months and provide extra help. And
48 they serve an important function, very effective. This would allow the second Police Community Action
49 Team, which is in place, to actually work and be used. The officers are available. This overtime would pay
50 for the implementation of it. And then we wanted to restore two non-sworn background investigators to
51 recognize the heavier load that the background investigators will have with the transfer from Homeland
52 Security of the security personnel who will now be in the Police Department. And as they are replaced or
53 there is attrition there, there needs to be a higher quality of background investigation done than has



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1 typically been done in the security personnel area, and this is what that will help accomplish. We did
2 agree with abolishing a captain and sergeant community services after the first quarter to have a set date
3 there and a set amount of money that can be predicted, reducing the cost of management and budget
4 specialist, and increasing the Humane Society contract by a percent. And if the Council supports
5 increasing general contractors of the Department of Health and Human Services 2%, we would want to
6 see a 2% increase for the Humane Society contract as well. There are some changes in the budget to
7 current program. It's not completely a same-services budget, or at least a same-position budget. We had
8 a long conversation with the Chief about the proposal that would eliminate officer staffing, at least to a
9 substantial degree, for the Police Activities League. The Chief feels that he can maintain a program
10 working with the Department of Recreation essentially using recreation personnel for most of the activities
11 with some continued police presence to keep the program eligible for grants, which is often -- requires a
12 police presence to do for a PAL program, it certainly does. We heard from the Chief that even if the two
13 part-time police officers are not dedicated to Project Life Saver, he will ensure that the families that are
14 currently served by the program continue to have that service. It will not allow for expansion as he hoped
15 to do. There are some other changes that are listed there that are pretty straightforward. I think what
16 might make sense is to see if there are questions about anything I have mentioned to this point, and then
17 I'll ask the Chief to comment on anything he would like to add that I haven't mentioned. Councilmember
18 Ervin and then Councilmember Trachtenberg.

19
20 Councilmember Ervin,

21 Just a brief comment. Good afternoon, good to see you as always. Thank you for the tremendous work
22 that you and your entire staff of amazing people do for us every day in the County. We really appreciate
23 that. I'm really interested in the community policing function, because I think it's wonderful. And because I
24 represent a very big CBD in Silver Spring and very active, I just have a question about as we're looking
25 forward to the summer months, I have a couple of concerns in Silver Spring. The first is that there's going
26 to be a fence put up around the turf as that area gets prepared for construction for the Civic Center. And
27 as you know, any night during the week if you drive around in the CBD you'll see that there are hundreds,
28 mostly young people, just sort of hanging around on the turf. And pretty soon they won't be able to sit on
29 the turf; it will have a fence around it -- a construction fence. And so there is a lot of concern about what's
30 going to happen during the summer months when those youth will have to find other places to sit and
31 hangout on weekends, and is that going to be a negative impact on the small business and the business
32 community surrounding the fountain? And so hopefully you and I, or whoever you designate on your staff,
33 can have some conversations, because folks are getting a little concerned that there's not been any
34 coordination of effort for the summer, especially in that CBD. I was there on the weekend and I have
35 never seen that many people in the area before. And so, you know, we're a victim of our own success.
36 This is what we want to promote that, but we're going to have a different situation this summer because
37 there will be no place for those young people to be. So I just wanted to put that out on the table and
38 maybe we can have a conversation about that.

39
40 Chief Manger,

41 Absolutely. I mean, this is not an unusual scenario in that, you know, something out of our control
42 happens and all of a sudden we have to -- we the community -- the government is as surprised by the
43 outcome as anybody. So we know this fence is going up. And I have spent a great deal of time in downtown
44 Silver Spring myself. We are a victim of our own success. I mean it's a great place to be, great
45 restaurants. The Silver Spring CBD, the officers that work down there do a phenomenal job. But I will tell
46 you that it has -- the calls for service and the activity has picked up over the last several years. It's still a
47 very safe place to be, but I'll tell you the officers down there are very active. So we have to be, you know,
48 really on our toes to make sure that it remains a safe place. With this fence going up, I mean, having
49 walked across that turf on more than a few occasions, I know -- it's great -- generally it's people playing,
50 throwing footballs, just sitting, talking. I mean, it's a great place to be. It's a lot of people that are going to
51 be displaced. And it's not like we've got a lot of empty room up around the fountain as it is, so it will be a
52 concern to see where they end up. And maybe -- not maybe, but we do need to talk about how we might
53 be able to channel those folks in different places so that they can continue to enjoy downtown Silver



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1 Spring, and that we don't end up with additional public safety issues. So I'll talk to Commander Don
2 Johnson and get him to start working with folks from your staff and also other folks in the community to
3 come up with some strategies to deal with that. We've got a month or so before we need to worry about it
4 too much, but that will be here pretty quickly.

5
6 Vice President Andrews,
7 Thank you. Councilmember Trachtenberg.

8
9 Councilmember Trachtenberg,
10 Thank you, Vice President Andrews. I actually was thinking a great deal of what my colleague,
11 Councilmember Ervin, was about the significance of the Community Services Division and obviously the
12 importance of the PAL Program and, you know, the understanding that, again, for very pragmatic reasons
13 we were needing to eliminate different positions. And I want to acknowledge the commitment from the
14 department and from the Chief to try to fill in the holes and maintain a certain level of programming. And it
15 would seem to me that there's a great deal of interest within in this Council around the Positive Youth
16 Development Initiative that the Executive has been advancing. And, again, this is one of those places
17 where I think with a little bit of coordination probably a lot of what we are providing through that initiative
18 can help us respond to some of the unmet needs in certainly community programming for kids. And I
19 know firsthand from working with children, I know two kids in particular, two young boys who really
20 benefited a great deal from the PAL opportunities that they had for really a long period of time. So I just
21 want to speak to your collaboration with us, and I look forward to the alternative programming discussion
22 that I know we're going to have in the autumn. And I was just going to suggest to the Public Safety
23 Committee folks that we might actually want to consider having a briefing to the full Council or else maybe
24 even a joint Committee discussion around those alternative programming options.

25
26 Vice President Andrews,
27 That sounds good.

28
29 Councilmember Trachtenberg,
30 It's very important to me that we find a way to continue to reach out to kids again. I recognize why these
31 choices were made, and I know that the department has a commitment to working with those kids.

32
33 Chief Manger,
34 I guess in the interest of time, I skipped opening remarks. But had I given opening remarks it would have
35 been just to highlight the fact that when we looked at where we needed to cut this budget, I was not going
36 to take police officers who were responding to 9-1-1 calls, I was not going to reduce that number. I was
37 not going to reduce the number of detectives that are investigating crimes. So by necessity I was stuck
38 with looking at the prevention activities and some of the service-type activities that we provide. It wasn't
39 an easy choice. It wasn't a choice that I wanted to make, but obviously it had to be done. But you
40 mentioned the PAL Program; I'll mention Project Life Saver as two programs that we're just going to have
41 a way to keep it going. And to be honest with you, I'll end up probably robbing Peter to pay Paul to keep
42 them going. But the PAL Program, I think, we can -- as long as we keep some police involvement, I
43 mean, right now we have four officers assigned to it. If we keep some police involvement, I've talked to
44 Gabe Albornoz, he is willing to staff it with recreation workers, which come at a much lower cost than
45 police officers because you don't have to provide police vehicles and equipment and all these sorts of
46 things. So we can do it much more economically and still provide the services to kids. Because that PAL
47 Program is producing great results. I mean, we're looking at the kids' grade point averages and
48 everything; it's just excellent results. The Project Life Saver, of course, we've got clients all over the
49 County, autistic children, Down syndrome children, people that are experiencing dementia, who have --
50 all of these clients, you know, would have a tendency to wonder off, get lost and be in danger. We have
51 already had a number of rescues that have happened very quickly because of the GPS devices that we're
52 issuing. And, frankly, when, you know, even though we're not going to be able to expand this program
53 because I think there are thousands of people that would benefit from this program that I would like to get



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1 as clients, we're just going to have to postpone expanding it. But I certainly was not going to go to
2 anybody's door and ask for the bracelet back. So we'll continue to maintain it somehow with current
3 staffing.

4
5 Councilmember Trachtenberg,
6 We appreciate that.

7
8 Vice President Andrews,
9 Thank you, Chief. I wanted to mention just two other quick things that I didn't mention in my first run
10 through of the packet. That is that MFP Committee will be looking at the impact, as this Committee did, of
11 the single-officer fleet vehicle program, which is in the contract that came over in the re-opener. It's a
12 \$1.75 million item which would provide 30, 35 cars for this program, which is meant for officers who would
13 be eligible for the personal patrol vehicle but aren't because they live outside the County. It is expensive
14 and it is something that we looked at and discussed in terms of the priority it has in this budget year. It will
15 come up in MFP on Friday.

16
17 Councilmember Trachtenberg,
18 That would be us.

19
20 Vice President Andrews,
21 Yes, it will be quite a meeting. Speed cameras are, you know, very -- have been rolled out perhaps at full
22 force at this point. We'll have a policy discussion on that in the summer. We'll come back to that. There
23 are significant revenues assumed as well as costs for the program. And if you want to just say a word
24 about that, I think that since it's such a significant item, I think it would be worth doing. And before I go
25 any further I wanted to thank both the department and Linda McMillan for really good work in helping to
26 come up with the budget that we are presenting to the Council. So, Chief, if you want to just talk a little bit
27 about the speed camera program, where it is, assumptions.

28
29 Chief Manger,
30 We're still -- we actually are still growing. There are additional cameras being put out, additional fix sites
31 that are being put out. The bottom line is that we're seeing great results in terms of change -- the
32 changing of driving behavior.

33
34 Vice President Andrews,
35 Which is the goal.

36
37 Chief Manger,
38 Which is the goal. And we're, you know, we did a lot of testing and monitoring of the speeds of drivers
39 who were going on these roads before we put the cameras up, so we've got good data to compare it to.
40 We're seeing some of the cameras at the fix sites that went up early on, like on Randolph Road, we're
41 already seeing dramatic decreases in the number of people that are speeding through those areas. And
42 even for the most cynical of us who would say, well they're just slow down for the cameras, the fact is
43 those cameras are located in school zones; ad if we've created a safety zone, great. I mean, again, it's a
44 desired result we're looking for. Nobody likes getting one of these citations in the mail. But I will tell you it
45 is having the desired effect that we want it to in terms of changing driving behavior. And without a doubt
46 the most dramatic results that I've ever seen in any traffic safety initiative in 31 years as a police officer.

47
48 Vice President Andrews,
49 That's saying something.

50
51 Chief Manger,
52 While there are still some folks that don't like the program, criticize it as just a revenue generator; that fact
53 is that's not the case. It's about changing driving behavior, and that's what's occurring.



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1
2 Vice President Andrews,

3 Thank you. I think this it. We are -- I think -- well, it's on page 14 in terms of the budget. The expected
4 revenue next year is 14.4 million.
5

6 Chief Manger,

7 And that keeps in mind that there's additional fix sites -- fixed camera sites, so the number of cameras out
8 there are increasing and that's the -- you know once we're finished putting out cameras, you'll likely see
9 the revenue go down because it is changing driver behavior, and that's what we expect. That's what we
10 saw with the red light program. But I will remind everyone that we make no secret about where these
11 cameras are.
12

13 Vice President Andrews,
14 Right.
15

16 Chief Manger,

17 You can go to our website. It's not -- we're not trying to catch people. We're not trying to do anything
18 other than get people to drive the speed limit. And so we're making no secret about where the cameras
19 are, whether they're red light or speed cameras.
20

21 Vice President Andrews,
22 There are signs up on the road itself.
23

24 Chief Manger,

25 Yes. All the roads that we're working the speed cameras on the mobile vans, the speed limit signs have
26 photo enforced at the bottom of them to remind people that we're out there.
27

28 Vice President Andrews,
29 Right. Okay. Well I think we're done for the moment. Thank you very much.
30

31 President Knapp,

32 Thank you very much. The Council is adjourned for the afternoon. HHS Committee will meet at 1:30. And
33 the Council will reconvene tomorrow morning at 10:00 and pick up with Item 4 from today. I believe that
34 HHS meeting is right here. Thank you all very much.
35
36